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UNEMPLOYMENT COMPENSATION

H.R. 14705

TESTIMONY TO BE RECEIVED TUESDAY,
FEBRUARY 17, AND WEDNESDAY,
FEBRUARY 18, 1970

COMMITTEE ON FINANCE
UNITED STATES SENATE
RUSSELL B. LONG, *Chairman*

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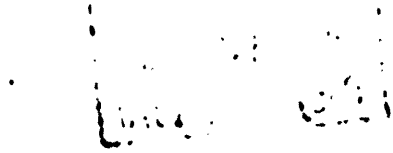

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(TUESDAY, FEBRUARY 17, 1970)

(WEDNESDAY, FEBRUARY 18, 1970)

Statement of Congressman B.F. Sisk
on H.R. 14705, the Employment Security Amendments of 1969

Mr. Chairman and members of the Committee on Finance, thank you for affording me this opportunity to appear before you to discuss what Secretary of Labor George Shultz referred to as the "most serious deficiency" in H.R. 14705, namely, the bill's omission of coverage for employees of large agricultural enterprises.

President Nixon proposed, in his message to the Congress of July 8, 1969, that farm employers having four or more employees during any 20 weeks of a year be covered by the unemployment insurance program. Only five percent of all farm employers would have been affected by the provision. This coverage could be a cautious, yet worthwhile, beginning in bringing farm workers under the protection of a social insurance program which will cover, if H.R. 14705 is enacted, 84 percent of all jobs.

The President's proposal was embodied in H.R. 12625 by Congressmen Wilbur Mills and John Byrnes. Unfortunately, when the bill was reported as H.R. 14705, it excluded large farm coverage.

I was floor manager for the rule under which the bill was taken up by the House on November 13, 1969. Because certain important information which was not available to the Ways and Means Committee during its consideration of the bill is now available, I ask your patience while I refer to the record of the debate on the bill.

During the discussion I said that I was personally quite disappointed that the bill did not go further in covering certain

agricultural workers and farm employees. I added that coverage for farm workers is a subject of considerable interest across the country and one in which in many cases farmers are asking themselves that they be brought under coverage.

Later, Congressman Gonzalez of Texas asked Congressman Mills, "does the gentleman detect any strong sentiment in the direction of eventually covering farm field workers?"

I wish to call your attention to Mr. Mills' reply:

> "I do. There is a growing feeling, I believe, as pointed out by the gentleman from California (Mr. Sisk), even on the part of some of the farm operators, and particularly the very largest farm operators. I have heard not directly but indirectly that they have some feeling that if they could extend to their workers unemployment compensation comparable to that which is extended in town, they might have more of an appeal to get certain folks within the town to come to work for them on the farms.
>
> "The experience which the State of North Dakota had in covering a segment of its farmers was such as to cause practically every other State to be very cautious about how they cover them. In that State the cost of coverage for farmworkers is many times the cost of coverage of workers in the industrial plants in the towns of North Dakota. It was much higher."

Now, it is clear that the North Dakota experience was a key factor in the minds of at least some of the members of the Ways and Means Committee when they voted on farm coverage. A number of major witnesses had emphasized the high cost of the North Dakota experience as a reason not to proceed with even limited farm coverage at this time.

For example, the American Farm Bureau Federation told the Ways and Means Committee that "such conclusions as may be reasonably drawn from such limited experience as is available-see summary of North Dakota experience in our main presentation- would indicate that if unemployment insurance were extended to nonseasonal farmworkers, costs could run from 10 to 15 percent of taxable payrolls." The U.S. Chamber of Commerce made a similar contention about the North Dakota experience.

In response to a question from Congressman Corman about whether it could be assumed that the greater the number of agricultural employees who are covered the lesser will be the cost burden of such coverage, a representative of the Interstate Conference of Employment Security Administrators replied:

> "I believe quite the reverse would be true if the information given to us by Mr. Gronvold is accepted. (Mr. Martin Gronvold is Director of the North Dakota Employment Security Agency.) He stated that in North Dakota, they have voluntary election and they permitted only the very best employers, or those

employers that they thought would enjoy the best experience, the most regular employers that use their workers more regularly but their cost was, in the last 2 years, about 10 percent or a little over. But I would assume that if you dropped down and take the other employers who experience more unemployment that the cost would go up higher so that I would assume the more you extend the coverage of farmworkers in the smaller farms the greater would be your cost because of the turnover in the workers."

The implication of this answer was that the North Dakota experience was with coverage of large farm employers. Unfortunately, the spokesmen for these groups apparently did not realize that the North Dakota experience has virtually no relevance to the large farm coverage proposals before the Ways and Means Committee. Nor did the Committee know these facts.

Following passage of H.R. 14705 by the House, the U.S. Department of Labor examined the North Dakota records and discovered that the 121 farm employers who were covered by their own election in 1968, employed a total of only 148 workers. Only <u>one</u> of these employers would have been covered by the proposed provision in H.R. 12625 (that is, employers of 4 or more workers in 20 weeks) and <u>none</u> of the employers would have been covered by an alternative proposal to cover employers of 8 or more

workers in 26 weeks. Furthermore, while the cost rate for all 121 employers was 12.4 percent, because of the extreme impact that even small amounts of unemployment have in a pool of just 148 workers, the combined cost rate for the only 4 employers in the group with taxable payrolls of $10,000 or more was only 3.6 percent.

I trust that these remarks will assist you in understanding the true nature of the North Dakota experience. I hope that this Committee will rectify the damage done by the incorrect interpretations of the data which were presented to the House of Representatives.

Existing farm coverage programs have variations that make direct comparisons with the coverage proposed by the President difficult. However, it is worth noting that 35 employers in Hawaii with nearly 10,000 employees had a cost rate (benefits as a percent of taxable payroll) of only 1.1 percent in 1968. Despite severe climatic conditions, the benefit cost rate in Canada during 1967-68 was less than 4.5 percent.

A 1965-66 California study estimated a cost rate of 9.5 percent for extensive coverage. The actual experience of the 765 California farm employers who elected coverage for over 17,000 employees was 4.5 percent in 1968.

But, as Secretary Shultz said in the statement he presented to you, even if farm coverage should cost 9.5 percent in California, should it be judged by a test not used for other groups? The Secretary

mentioned that the average cost rate for five California industries closely related to farming was 10.8 percent in 1967. He also cited the fact that the rate for contract construction was 8.3 percent in that year, with the subcategories of general building and highway construction both at 10 percent.

In closing, I would like to point out that the Governor of California has publicly called upon the Congress to enact unemployment legislation covering farm workers and that there is a rising sentiment among California farm producers for such coverage. I urge you to include coverage of employers of large agricultural employers in this legislation.

SUMMARY OF STATEMENT BY ANDREW J. BIEMILLER, DIRECTOR, DEPARTMENT OF LEGISLATION, AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS BEFORE THE SENATE COMMITTEE ON FINANCE ON H.R. 14705 - A BILL TO EXTEND AND IMPROVE THE FEDERAL-STATE UNEMPLOYMENT COMPENSATION PROGRAM

February 17, 1970

Mr. Chairman, members of the Committee, we appreciate this opportunity to present the views of the American Federation of Labor and Congress of Industrial Organizations on H.R. 14705, S. 3421 and Amendment No. 489.

We view H.R. 14705 as a meritorious effort to improve the system, but still lacking the most essential ingredient -- minimum federal benefit standards.

The AFL-CIO at its recent Constitutional Convention held last October noted the continued deterioration of the unemployment compensation program. The growing disparity between wage loss and weekly benefits is a matter of deep concern to our membership. Federal action is needed to restore the wage related benefit principle to the program by lifting the maximum weekly benefit level. In 37 states the maximum benefits are below the poverty level. The policy resolution adopted by the Convention urged Congress to establish a minimum federal benefit standard that would assure jobless workers a weekly benefit equal to at least two-thirds of their weekly wage loss.

Mr. Chairman, an improved benefit structure for the program has been a goal of every recent Administration.

In the 89th Congress, extensive hearings on every phase of the federal-state unemployment compensation program were conducted. Congress was assured, at that time, the states would improve the benefit structure of the program without federal benefit standards. Our AFL-CIO affiliates have worked diligently at the state level to improve the program and thus

bring to fruition the assurances given to the Congress. A review of the record indicates the assurances were without foundation; AFL-CIO efforts at the state level have been most disappointing.

In mid-1965, when the issue of federal benefit standards received Congressional attention, the maximum weekly benefit amount in 34 states was less than 50 percent of the statewide average weekly wage. On December 1, 1969, the maximum weekly benefit amount in 30 states was still less than 50 percent of the statewide average weekly wage. Every state legislature has been in session at least once since this matter was considered by the Congress. The record speaks for itself. The states are unwilling to improve their benefit structure. Nothing of consequence is going to happen until the Congress establishes a minimum federal benefit amount standard.

Presently, Mr. Chairman, two proposals setting Federal benefit standards are before your Committee: Amendment No. 489 and S. 3421. Both proposals are meritorious.

They provide that an individual's weekly benefit amount for a week of total unemployment shall be an amount equal to at least one-half of such individual's average weekly wage; and that the state maximum weekly benefit amount shall be no less than 50 percent of the statewide average weekly wage.

One of the criticisms leveled at the Senate-passed bill in 1966 related to the provisions affecting states with dependency allowances.

A number of state laws contain dependency allowances. However, the method for determining an individual's benefit amount differs greatly among those states.

S. 3421 provides alternative methods of determining if a state is meeting the standard that an individual's benefit amount is equivalent to 50 percent of his average weekly wage and if the state maximum benefit amount is equivalent to 50 percent of the statewide average weekly wage.

Because we believe S. 3421 overcomes the hangup presented by states with dependency allowances, we urge its enactment.

Duration

H.R. 14705 fails to establish a minimum duration standard for state programs. The need for this standard stems not from widespread deficiencies in state laws, but rather from the reluctance of a few states to keep pace with the others in improving this aspect of their program. The average claimant in some states can expect as many as 26, 29, or even 30 weeks of benefits if he needs them; in others, the average potential duration period is only 18 or 19 weeks. The limited duration periods in some state laws helps to explain why 25, 30 and 35 percent of claimants exhaust benefits each year before obtaining new employment.

We urge you to include a benefit duration standard in this bill. It would, in addition, provide a realistic base upon which to establish an extended benefit program.

At a minimum we urge the enactment of the standard set forth in Amendment No. 489.

Federal-State Extended Benefit Program

We urge the Committee to amend the proposal in H.R. 14705 which establishes a triggered extended benefit program. In the absence of a federal standard establishing state responsibility for a minimum duration period, existing inequities in the program will be compounded. In some

states, every qualified worker will be entitled to a maximum benefit period of 39 weeks -- 26 weeks regular plus 13 weeks extended. In other states, workers will be entitled to only 13.5 weeks -- 9 regular weeks plus 4.5 extended. Should Congress be asked to provide federal financing of benefits after 9, 10, or 12 weeks in some states, but only after 26 weeks in others? We fear this arrangement will blunt any desire on the part of state legislators to improve the duration provisions in their state programs.

In addition, it will provide very little assistance for the long-term unemployed. It is intended to function only during periods of recession. However, long-term unemployment persists even when the overall rate of unemployment is declining.

We recommend amending H. R. 14705 to provide a completely federal program for the long-term unemployed. The program should be established on a continuing basis for workers with a firm labor force attachment. It should provide not only unemployment compensation benefits, but job training, retraining, and the upgrading of skills in all cases where such action will help return unemployed workers to gainfull employment.

Coverage

The provisions in H. R. 14705 to extend the protection of the program to an additional 4.5 million workers are meritorious, and they certainly have our support. We urge the program be strengthened by including agricultural workers, domestic workers, and public employees who like other workers need the protection of this program.

The Congress has recognized the devastating impact of unemployment on federal workers. It has also acted as a responsible employer and an understanding legislative body by enacting legislation to provide unemployment

compensation protection for its employees. Workers employed by other political jurisdictions deserve the same protection. This bill could be measureably improved by extending coverage to all public employees.

Agricultural workers and domestic workers should not be forgotten by Congress. Their need for unemployment insurance protection, is, in many cases, greater than the need of other working people. We are certain that extending coverage to farm and domestic workers in large residences would present little difficulty at this time. A numerical or payroll standard could be utilized to extend coverage to some of these workers at this time. Further extensions of coverage could be based on the results of studies the Secretary is expected to make under other provisions of this bill.

Other Federal Standards

Requalifying

The requalifying requirement contained in H. R. 14705 could be strengthened by an amendment specifying the amount of work or wages that would meet this requirement. Any work or wages equal to a week of employment should be the maximum requalifying standard the states should be permitted to impose.

Limitation on Cancellation or Total Reduction of Benefit Rights

Mr. Chairman, we have long favored a federal standard in this area of the program, and we have urged a limit be established on the duration of penalties. This limit should be related to the average period of unemployment in the state; which may be as much as six weeks.

The disqualification provisions in state laws should be remedial in nature, not punitive. After a reasonable period the worker should be permitted to claim his benefit rights. The period should not exceed six weeks or the average period of unemployment in the state, whichever is less.

Training

H. R. 14705 would prohibit the states from imposing a disqualification on workers who are undergoing training with the approval of the state agency. The provision in H. R. 14705 concerning trainees is reasonable and should be adopted.

Interstate and Combined Wage Requirements

We think there is widespread agreement that multistate workers should have the full protection of this program. We hope this standard will be approved by the Committee.

Reduced Tax Rates for New Employers

H. R. 14705 modifies the present federal requirement permitted reduced tax rates.

We understand the rationale for limiting this provision to new and newly covered employers, but the unemployment insurance system could be significantly improved by permitting the states to reduce tax rates for all employers on a basis other than experience rating, if the state wished to do so.

Financing

A serious inadequacy in the existing program is the obsolete taxable wage base. At the time the $3,000 tax base was established the average weekly wage in covered employment was $26.16. The average weekly wage in covered employment in 1968 was $126.61 -- almost a five-fold increase. If the taxable wage base had kept pace with changes in wage levels, it would be approximately $15,000 now.

Therefore, the administration's original proposal of an increase in the taxable wage base to $6,000 should be considered as the minimum level upon which to base expectations for program improvements.

Almost four years ago, the President of the AFL-CIO appeared before this Committee to urge modernization of the unemployment insurance program. The views

of organized labor, if they can be stated briefly, called for a much greater role in the program by the federal partner. This is still the view of the AFL-CIO.

The record of state legislation, or more properly the lack of it, clearly sustains our position. Neglect by the federal partner is weakening this program. The program needs direction. This can only be achieved by the enactment of a minimum federal benefit amount standard. We hope the Committee will recommend and the Congress will enact a bill containing minimum federal standards that will truly strengthen and improve the program.

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STATEMENT OF ANDREW J. BIEMILLER, DIRECTOR, DEPARTMENT OF LEGISLATION, AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS, BEFORE THE SENATE COMMITTEE ON FINANCE ON H.R. 14705 - A BILL TO EXTEND AND IMPROVE THE FEDERAL-STATE UNEMPLOYMENT COMPENSATION PROGRAM

February 17, 1970

Mr. Chairman, members of the Committee, we appreciate this opportunity to present the views of the American Federation of Labor and the Congress of Industrial Organizations on H.R. 14705. In recent weeks, I doubt if a day has passed without members of one or more AFL-CIO affiliates being informed of cut-backs in production. This means unemployment for the workers involved, and it also means an immediate need for unemployment compensation protection. Unfortunately, serious disappointment lies in store for many of these workers unless the unemployment compensation system is substantially improved. A program that has merely sputtered along during prosperity cannot be depended upon to move with authority during any sustained period of economic adversity.

H.R. 14705 represents an effort to improve the system, but it lacks the essential ingredient the federal partner must supply to achieve substantially this objective -- minimum federal benefit standards.

The AFL-CIO, at its Constitutional Convention held last October noted the continued deterioration of the unemployment compensation program. - Appendix (B) The growing disparity between wage loss and weekly benefits is a matter of deep concern to our membership. Federal action is needed to restore the wage-related benefit principle to the program and lift the maximum weekly benefit level, especially in the 37 states where maximum benefits are below the poverty level of subsistence. The policy resolution adopted by the Convention urged Congress to establish a minimum federal benefit standard that would assure jobless workers a weekly benefit equal to at least two-thirds of their weekly wage loss.

Mr. Chairman, an improved benefit structure for the program has been a goal of every recent Administration. President Nixon in his July 1969 message on unemployment compensation stated:

> "If the program is to fulfill its role, it is essential that the benefit maximum be raised. A maximum of two-thirds of the average wage in the state would result in benefits of 50% in wages to at least 80% of insured workers."

President Eisenhower recommended a similar goal in 1954. Legislation to establish minimum federal standards to attain these goals were supported by the Administrations of Presidents Kennedy and Johnson.

In the 89th Congress, extensive hearings on every phase of the federal-state unemployment compensation program were conducted. Congress was assured, at that time, the states would improve the benefit structure of their respective programs without federal benefit standards. The AFL-CIO has worked diligently at the state level to improve the program and thus bring to fruition the assurances given to Congress. But a review of the record indicates the assurances were worthless, and AFL-CIO efforts at the state level were unappreciated.

In mid-1965, when the issue of Federal benefit standards received Congressional attention, the maximum weekly benefit in 34 states was less than 50 percent of the statewide average weekly wage. On December 1, 1969, the maximum weekly benefit under 30 state programs was still less than 50 percent of the statewide average weekly wage. Every state legislature has been in session at least once since unemployment compensation program improvements were last considered by Congress. The record clearly indicates that the states are unwilling to improve the benefit structure of the program unless Congress establishes minimum federal benefit standards.

Presently, Mr. Chairman, two proposals setting Federal benefit standards are before your Committee: Amendment No. 489 and S. 3421. Both proposals are meritorious.

They provide that an individual's weekly benefit amount for a week of total unemployment shall be an amount equal to at least one-half of such individual's average weekly wage; and that the state maximum weekly benefit amount shall be no less than 50 percent of the statewide average weekly wage.

One of the criticisms leveled at the Senate-passed bill in 1966 related to the provisions affecting states with dependency allowances.

A number of state laws contain dependency allowances. However, the method for determining an individual's benefit amount differs greatly among those states.

S. 3421 provides alternative methods of determining if a state is meeting the standard that an individual's benefit amount is equivalent to 50 percent of his average weekly wage and if the state maximum benefit amount is equivalent to 50 percent of the statewide average weekly wage.

Because we believe S. 3421 overcomes the hangup presented by states with dependency allowances, we urge its enactment.

S. 3421 would establish minimum Federal benefit standards that would permit the states to move in the direction of the benefit structure desired by this administration and recommended so often in the past by other administrations. S. 3421 represents a significant step forward. It would give direction to the program, and remedy one of its most serious existing deficiences. It has the support of the AFL-CIO, because it would end an era of neglect by the federal partner, and give the states a chance to start anew to improve the benefit structure of their programs. We hope you will incorporate the benefit standards contained in this bill into H.R. 14705. We are convinced the omission of a benefit standard from this legislation will only result in ever greater economic suffering for jobless workers and their families.

Duration

The failure of H.R. 14705 to establish a minimum duration standard which state programs would be required to meet is extremely disappointing to the AFL-CIO. The need for this standard does not stem from widespread deficiencies in state laws, but rather from the reluctance of a few states to keep pace with the others in improving this aspect of their program. The average claimant in some states can expect as many as 26, 29 or even 30 weeks of benefits if he needs them; in others, the average potential duration period is only 18 or 19 weeks. The limited duration periods in some state laws helps explain the reason 25, 30 and 35 percent of claimants in those states exhaust benefits each year before obtaining new employment, while in other states the exhaustion rates seldom exceed 5 or 10 percent.

We urge you to include a benefit duration standard in this bill. A duration standard providing a 26 week benefit period of 20 weeks or more of work would substantially improve the program. It would reduce the number of workers who exhaust all their benefit rights while still unemployed, and equally important it would provide a firm base upon which to establish an extended benefit program.

Amendment No. 409 provides that a State law shall provide an individual with 30 weeks of employment (or the equivalent) in the base period, benefits in a benefit year equal to at least 26 times his weekly benefit amount. Although we propose a duration standard of a 26-week benefit period for 20 weeks of more of work, we would certainly urge that the Committee recommend the minimum standard in Amendment No. 189.

Annually, throughout the entire decade of the 1960's, 11 million or more workers were jobless -- 11.5 million in 1967 and 11.3 million during the prosperous year of 1968. These 11 million workers and their families should be able to rely on the program for income protection. However, the program has been failing them. In 1968 only 1.2 million of the 11.3 million unemployed received benefits from the

program. All of the reasons additional jobless workers did not receive benefits from the program would be difficult to enumerate, but some come readily to mind.

Many found work without ever applying for their benefit rights, some jobless workers were disqualified -- over 1.6 million last year -- others were ineligible because their employment was excluded from coverage. While H.R. 14705 would improve the situation by extending coverage of the program to some degree, much more needs to be done.

Coverage

The provisions in H.R. 17405 to extend the protection of the program to an additional 4.5 million workers are long overdue, and they certainly have our support. However, they are, in our opinion, extremely modest proposals, and we would like to see the bill amended to include additional workers.

Mr. Chairman, agricultural workers, domestic workers, and public employees need the protection of this program as much as other workers.

This bill would provide coverage for some state employees -- workers in state hospitals and state institutions of higher education -- but it completely overlooks the needs of millions of county and municipal workers and employees of other political jurisdictions. For example, maintenance workers employed by local school districts face the same risk of unemployment as maintenance workers in a state institution of higher education. Workers in city and county hospitals suffer the same hardships, if unemployed, as workers in state hospitals. Similar comparisons could be made between workers in public and private employment relative to highway workers, sanitation workers, library workers, utility workers, and others. Unemployed public employees must feed, clothe, and house their families at all times and in the same manner as other workers. The landlord and the grocer cannot and do not suspend demands for payment simply because a jobless worker happens to be a public employee.

The Congress has recognized the devastating impact of unemployment on federal workers. It has also acted as a responsible employer and an understanding legislative body by enacting legislation to provide unemployment compensation protection for federal workers. Workers employed by other political jurisdictions deserve the same protection.

This bill could be measureably improved by extending coverage to all public employees.

Mr. Chairman, we are opposed to the occupational exclusions proposed in H. R. 14705. Individuals employed by state and nonprofit institutions of higher education in an instructive, research, or principal administrative capacity should be treated in the same fashion as other workers. We hope your Committee will eliminate the occupational exclusions from this bill.

Domestic workers should not be forgotten by the Congress. Their need for unemployment compensation protection is, in many cases, greater than the need of other working people. We are certain that extending coverage to domestic workers in large households would present little difficulty at this time. A numerical or payroll standard could be utilized to extend coverage to some of these workers immediately. Further extensions of coverage could be made based on the results of studies the Secretary is expected to make under other provisions of this bill.

Coverage of agricultural workers is essential too, and has been too-long postponed. Previous administrations have supported proposals to cover agricultural workers, and this administration favors such extension. The AFL-CIO has as a matter of long standing policy urged extension of the program to farm workers.

Extending coverage to farm workers would benefit farm workers, farm employers, and agricultural communities. It would help stablize the farm work force; it would reduce the labor turnover cost and recruitment cost. Farm workers, who now work in both covered and uncovered employment, would be more

apt to remain in the farm work force, if their total employment was covered, and used to determine eligibility for benefits. The farm worker would then be able to maintain his home and family without seeking demeaning public assistance, as he must now do, all too often.

Farm workers are entitled to the same legislative protection as other workers. Unemployment insurance is one form of this protection, and the extension of coverage to farm workers was one of the major recommendations in the Report of the National Advisory Commission on Food and Fiber. We urge your Committee to amend this bill to extend unemployment insurance protection to these workers.

Other Federal Standards

Requalifying

The requalifying requirement contained in H. R. 14705 is, in our opinion, unnecessary. The bill requires that state unemployment compensation laws provide that an individual who has received benefits during one benefit year must have worked after the beginning of that benefit year in order to be eligible to receive benefits in the succeeding benefit year. The state law must in effect prohibit the so-called double-dip.

We think the bill could be strengthened by an amendment specifying the amount of work or wages that would meet this requirement. Any work or wages equal to a week of employment should be the maximum requalifying standard the states should be permitted to impose.

Limitation on Cancellation or Total Reduction of Benefit Rights.

The House Ways and Means Committee report on H. R. 14705 stated:

> " ... severe disqualifications, particularly those which cancel earned monetary entitlement, are not in harmony with the basic purposes of an unemployment insurance system."

We in the AFL-CIO share this view. We feel the disqualification provisions in most state laws are much too harsh. A perfect example of a harsh disqualification is the denial of benefits to workers in many states when they are in training. We therefore welcome the provision in H.R. 14705 prohibiting such disqualifications.

This bill would prohibit total cancellation or reduction of benefit rights in all cases except discharge for misconduct, fraud, or receipt of disqualifying income. It is however, a meaningless standard, and it will have little impact on state disqualification practices. Anything less than 100 percent cancellation is permitted. For example, if a worker eligible for 26 weeks should be disqualified, the penalty could be a 25 week disqualification and still meet the standard of H.R. 14705.

Mr. Chairman, we have long favored a federal standard to meet this problem, and we have urged a limit on the duration of penalties. This limit should be related to the average period of unemployment in the state; which may be as much as six weeks.

We can understand the reason for imposing a reasonable penalty upon workers in situations where unemployment results from the worker's

poor judgement, or hasty or ill considered conduct. However, we cannot understand, and we are vigorously opposed to disqualification provisions in state laws that are contrary to the basic objective of the program -- to provide income benefits to workers whose unemployment is beyond their own control.

The disqualification provisions in state laws should be remedial in nature, not punitive. After a reasonable period the worker should be permitted to claim his benefit rights. The period should not exceed six weeks or the average period of unemployment in the state, whichever is less.

Unemployment that extends beyond six weeks must be attributed to existing economic conditions. An otherwise eligible jobless worker who is actively seeking work, available for work, and willing to accept suitable work should not be denied his benefit rights indefinitely because the labor market cannot absorb him.

Training

H. R. 14705 would prohibit the states from imposing a disqualification on workers who are undergoing training with the approval of the state agency. It is unfortunate that a federal standard of this nature is required. The fact that it is proposed in H. R. 14705 supports our view outlined above on the need for a federal standard limiting state disqualification practices. The nation's manpower programs were launched during the 1960's to equip jobless workers with new skills, and start them on new careers. However, the unemployment insurance programs in only 26 states allow individuals to receive unemployment compensation benefits while taking agency approved training to equip themselves for new employment. The provision in H.R. 14705 concerning trainees is reasonable and should be adopted.

Interstate and Combined Wage Requirements

H.R. 14705 would require the states to participate in wage combining arrangements approved by the Secretary of Labor after consultation with the states. This standard would provide an effective solution to the problems of workers whose wages are subject to the provisions of more than one state law. The benefit eligibility of such workers would be determined on the basis of wages or employment which occur in the base period of a single state by the wage combining arrangement.

H.R. 14705 would prohibit the states from denying or reducing a worker's benefit rights because he files a claim in another state or Canada, or because he resides in another state at the time he files his claim for compensation.

There is widespread agreement that multi-state workers should have the program's full protection. These proposed standards will certainly improve the effectiveness of the program and eliminate obstacles that cause some workers unnecessary hardship. We hope these standards will be approved by the Committee.

Reduced Tax Rates for New Employers

The proposal contained in H.R. 14705 to modify the present federal requirement permitting reduced tax rates, disappoints us. Federal standards now require at least one year of unemployment experience to qualify an employer for a reduced tax rate. The bill would permit a reduced tax rate for new and newly covered employers on any reasonable basis until they acquire enough experience to be rated under the provisions of the state law. The reduced rate could not be less than 1.0 percent.

We cannot understand the reason for limiting this provision to new and newly covered employers. We have in the past advocated enactment of such a proposal for all employers. We are convinced experience rating has led to the development of most unfair and undesirable practices within the program. Harsh disqualification provisions in state laws, and unmerited employer challenges of legitimate claims in order to preserve favorable tax rates flow directly from present experience

rating requirements in the law. The proposed modification of the present experience rating standard could be significantly improved by permitting the states to reduce tax rates for all employers on a basis other than experience rating, if the state wished to do so.

Federal-State Extended Benefit Program

We urge the Committee to amend the proposal to establish a triggered extended benefit program. We urge consideration of this problem, because in the absence of a federal standard establishing state responsibility for a minimum duration period, existing inequities in the program will be compounded. In some states, every qualified worker will be entitled to a maximum benefit period of 39 weeks -- 26 weeks regular plus 13 weeks extended. In other states, some workers will be entitled to a total of only 13.5 weeks -- 9 regular weeks plus 4.5 extended. Should Congress be asked to provide federal financing of benefits after 9, 10 or 12 weeks in some states, but only after 26 weeks in others? This arrangement will blunt any desire on the part of state legislators to improve the duration provisions in their state programs.

In addition, it will provide very little assistance for the long-term unemployed. It is intended to function only during periods of recession. However, long-term unemployment persists even when the overall rate of unemployment is declining. The 1969 Economic Report of the President gives us a clear picture of the existing problem. It states "Even in the height of prosperity during 1968, two million workers were out of work for a period of 15 weeks or longer. About a million workers spent at least half the year fruitlessly looking for work."

The causes of long-term unemployment -- technological changes, movements of industry, broad changes in consumer demand -- can, and do, result in the disappearance of jobs and leave many workers stranded with obsolete skills. These problems are not easily remedied, and the proposals in H.R. 14705 are not equal to the task.

Individuals who are victims of long-term unemployment need protection when they are out of work. This situation may exist for individuals at any level of national unemployment. [The extended benefit program proposed in H.R. 14705, because it is geared only to recession levels of unemployment, provides the long-term unemployed worker with little protection -- a maximum of only 13 weeks and even that only if he exhausts regular benefits during a recession.] Workers who exhaust benefits when the program is not operating, regardless of the length of their unemployment, are completely unprotected.

Communities that may be faced with serious unemployment problems are in a similar position -- unprotected. The loss of the major employer in a community may occur at any time. But the extended benefit proposal here will not aid this community, or its workers, if the state or national program is not operating.

We suggest amending H.R. 14705 to provide a completely federal program for the long-term unemployed. The program should be established on a continuing basis for workers with a firm labor force attachment. It should provide not only unemployment compensation benefits, but job training, retraining, and the upgrading of skills in all cases where such action will help return unemployed workers to gainful employment.

Financing

A serious inadequacy in the existing program is the obsolete taxable wage base. The existing taxable wage base, the first $3,000 of a worker's annual wages, was established in 1939. It was fixed at this level to conform with the social security tax base and simplify tax reporting procedures for employers. At the time the $3,000 tax base was established the average weekly wage in covered employment was $26.16. The average weekly wage in covered employment in 1968 was $126.61 -- almost a five fold increase. If the taxable wage base had kept

pace with changes in wage levels, it would be approximately $15,000 now. This is a much higher taxable wage base than anyone has suggested for the program, but it reveals the original sentiment of Congress at the time it established parity between the unemployment insurance and social security wage base.

The average annual wage in covered employment was about $1,400 ($26.16 x 52 = $1,360.32). Congress established a taxable wage base more than twice as great as insured wages to provide adequate benefits, build reserves, and meet administrative costs. The failure to increase this tax base over the years has contributed to the deterioration of the program. The $3,000 tax base has functioned as a damper, holding down reserve fund levels. After seven years of prosperity, 15 states had reserve funds that failed to meet the Department of Labor's minimum standard of adequacy. The $3,000 base also serves to discourage state legislators from improving the benefit structure of state programs, because needed revenue would only be available through the application of higher and higher tax rates to a dwindling tax base. In 1939, the $3,000 taxable wage base included 93 percent of total wages in covered employment. In 1969, according to Department of Labor estimates, only 46 percent of total wages in covered employment will be subject to taxation.

The need for raising the taxable wage base was clearly reflected in emergency legislation Congress was requested to enact last year, which provided a speed-up in Federal Unemployment Tax Act collections. The existing 0.4 percent federal tax on the first $3,000 of a worker's annual wages was not providing the revenue needed to finance the administrative costs of the program for fiscal year 1970, and thereafter. Therefore, the temporary measure had to be enacted.

Mr. Chairman, the increased federal tax rate of one-tenth of one percent, and the $1,200 increase in the taxable wage base proposed in H.R. 14705 are insufficient. They will not provide the revenue needed to modernize the program.

Most of the revenue provided by this proposal will be needed for the extended benefit program.

Adequate revenue to modernize the program in terms of benefits, reserve funds, and administration costs can be provided under a more equitable tax structure through a substantial increase in the tax base. The AFL-CIO favors such a step. We urge you to amend H.R. 14705 to restore and maintain the 1939 parity of the unemployment insurance tax base and the social security tax base. This would be one of the most significant long-range improvements that could be made in the program. However, if this goal cannot be achieved, at this time, the administration's original proposal of an increase in the taxable wage base to $6,000 should be considered as the minimum level upon which to base expectations for program improvements.

Almost four years ago, the President of the AFL-CIO appeared before this Committee to urge modernization of the unemployment insurance program. He called then for a much greater role in the program by the federal partner. This is still the view of the AFL-CIO.

The record of state legislation, or more properly, the lack of it, clearly sustains our position. Neglect by the federal partner is weakening this program. The program needs direction. This can only be achieved by the enactment of minimum federal benefit standards. We hope the Committee will recommend and the Congress will enact a bill containing minimum federal benefit standards that will truly strengthen and improve the program.

APPENDIX A

Maximum Weekly Benefit As Percent Of Average Weekly Wage In Covered Employment, By State, Selected Years -- 1939-1969

State	1939	July 1965	December 1, 1969
Alabama	85%	43%	44%
Alaska	45	27-42	31-44
Arizona	61	41	41
Arkansas	94	50	50
California	59	53	46
Colorado	61	50	60
Connecticut	55	44-66	60-78
Delaware	56	43	40
District of Columbia	58	50	50
Florida	81	86	36
Georgia	85	40	43
Hawaii	81	66 2/3	66.7
Idaho	83	62 1/2	52.5
Illinois	55	86-60	33
Indiana	57	36-39	33-40
Iowa	65	50	50
Kansas	66	50	50
Kentucky	71	43	46.7
Louisiana	88	42	42
Maine	74	50	52 1/2
Maryland	63	49	51
Massachusetts	37	49	52
Michigan	53	34-56	31-50
Minnesota	62	46	47
Mississippi	96	39	41

1. When 2 figures are shown the higher includes maximum allowance for dependents.

Source: U.S. Department of Labor, Manpower Administration, Unemployment Insurance Service
July 1965 data, Unemployment Insurance Review, September 1967.
December 1969 data, Monthly Labor Review, January 1970.

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APPENDIX A (Continued)

Maximum Weekly Benefit As Percent Of Average Weekly Wage

In Covered Employment, By State, Selected Years -- 1939-1969

State	1939	July 1965	December 1, 1969
Missouri	60	43	42
Montana	59	37	39
Nebraska	65	43	41
Nevada	56	35-51	36-51
New Hampshire	72	55	55
New Jersey	55	43	50
New Mexico	70	38	50
New York	39	47	46
North Carolina	87	52	42
North Dakota	69	50	50
Ohio	54	36-46	34-48
Oklahoma	61	33	33
Oregon	52	42	45
Pennsylvania	60	44	49
Puerto Rico	---	38	50
Rhode Island	69	50-64	50-68
South Carolina	98	50	50
South Dakota	68	42	42
Tennessee	77	43	44
Texas	65	42	38
Utah	67	50	50
Vermont	67	50	50
Virginia	73	40	45
Washington	56	37	31
West Virginia	60	34	40
Wisconsin	55	52 1/2	52.5
Wyoming	77	50	50

1. When 2 figures are shown the higher includes maximum allowance for dependents.

Source: U.S. Department of Labor, Manpower Administration, Unemployment Insurance Service.
July 1965 data, Unemployment Insurance Review, September 1967.
December 1969 data, Monthly Labor Review, January 1970.

AMERICAN FEDERATION OF LABOR AND

CONGRESS OF INDUSTRIAL ORGANIZATIONS

Policy Resolution on

UNEMPLOYMENT INSURANCE - RESOLUTION NO. 267

Adopted October 1969

The President in his unemployment insurance message to Congress on July 8, 1969, said "The best time to strengthen our unemployment insurance system is during a period of relatively full employment."

Strengthening the system has been a goal of organized labor for more than a quarter of a century. Despite vigorous and continued efforts by AFL-CIO state bodies to improve state programs, the system is today inadequate and obsolete. This experience at the state level has convinced us that comprehensive federal legislation is essential if the system is to provide effective protection to jobless workers and their families.

The President's failure to call for federal minimum standards to improve the system can only result in jobless workers, their families, their communities, and the nation reliving the experiences of the late 1950's. President Eisenhower's repeated pleas to the states for unemployment compensation improvements went unheeded at that time, and there is no reason to assume the requests of the present Administration will be afforded any greater attention.

Each year between 1954 and 1958 the President of the United States called upon the state legislatures to amend their unemployment insurance laws.

He specifically urged that (1) protection be extended to more workers; (2) benefits be increased so that the great majority of covered workers could receive a weekly benefit equal to one-half their average weekly wage; and (3) unemployed workers be able to draw benefits for a period of twenty-six weeks if needed.

When President Eisenhower made this plea, no state met all these objectives. When he left office only one state met them. Today—fifteen years since his original plea and nine years since he left office—only two states are close to meeting these objectives.

This record of dismal failures on the part of the states cannot be overlooked. The clearest lesson to be learned from this past experience is that the states are unable or unwilling to modernize the federal-state system of unemployment compensation.

The system has been deteriorating for years. The recessions of 1958 and 1961 both required the passage of emergency patchwork unemployment insurance legislation. Eight years of economic growth have failed to eliminate the need for emergency measures to shore up the system. Less than six months ago, the Department of Labor had to request Congress for more emergency legislation in order to obtain the revenue needed to operate the program at its present level for the next few years.

The AFL-CIO is convinced that this record alone justifies the assumption of a stronger federal role in the unemployment insurance system. However, additional indications are also available that point to the need for federal action if the system is to be improved.

At the present time, twenty-five percent of the American workforce—sixteen to eighteen million workers—are not covered by the program.

The existing federal-state system is moving away from its basic objective of providing minimum income protection to the unemployed. Ten years ago, more than half the unemployed drew some benefit from the system. Today, only three out of ten unemployed workers receive any benefit from it.

Weekly benefits—despite assurances given Congress in 1966 that the states could be relied upon to improve them—are maintained at such woefuly inadequate levels that in a majority of states jobless workers dependent on the program are unable to maintain their families at even a poverty level of subsistence. The relationship between the maximum weekly benefit available under state laws and the state average weekly wage has been declining for years. In the 1930's, in the majority of states, the maximum weekly unemployment insurance benefit was established at a level equal to between 50 and 66⅔ percent of the state average weekly wage. Today, the maximum weekly unemployment insurance benefit in thirty states is less than 50 percent of the statewide average weekly wage. In some states, the maximum weekly benefit has dropped to a level equal to little more than 30 percent of the state average weekly wage.

The problem of inadequate benefit levels is compounded by the additional neglect of the federal government in the areas of eligibility, disqualifications, and financing. Under existing arrangements, eligibility and disqualification provisions can be and are manipulated to deny the meager protection of the program to many workers.

The taxable wage base established in 1939 permits approximately one-half the tax base—wages in covered employment—to escape the impact of the tax. Experience rating and zero tax rates are also utilized to deprive the system of revenue. The erosion of the tax base and the destruction of the benefit structure over the past thirty years are directly related. These developments can be traced to the abdication of federal responsibility for maintaining an adequate unemployment compensation program.

The Administration's proposals to strengthen the system will do little to achieve this desired goal unless they are substantially improved. Therefore, be it

RESOLVED: The AFL-CIO reaffirms its support for a comprehensive reorganization and fundamental improvement of the unemployment insurance system under a single federal program. Pending such reorganization, we urge Congress to enact without delay unemployment insurance legislation to provide uniform minimum standards for benefits, duration, eligibility, disqualifications, and genuine tripartite representation on advisory committees, commissions, and appeals boards.

To achieve these objectives the AFL-CIO urges the Congress to:

extend coverage to all wage and salary workers including workers in small firms—employers of one or more workers at any time—domestic workers, agricultural workers, workers employed by nonprofit organizations, and workers employed by state and local governments

establish reasonable qualifying requirements (maximum limits for state laws should not exceed 20 weeks of work or its equivalent)

require duration provisions in state laws that would maintain the original concept of a 6 month benefit period based on a 5 month work period (26 weeks duration for 20 weeks of work)

encourage the states to eliminate the waiting week by requiring it be compensated retroactively after a few weeks of unemployment.

limit disqualifications in all cases to a fixed period (the maximum period to be established at six weeks)

prohibit the disqualification of a worker participating in a training program

prohibit application of a state disqualification period in claims involving labor dispute issues

prohibit the reduction or cancellation of a workers benefit rights or base period wages

enact minimum benefit standards that will permit the application of the following principles for establishing state benefit levels:

1. The weekly benefit amount should replace a specified portion of the individual worker's full-time weekly wage, preferably not less than 66⅔ percent or 1/20 of high-quarter earnings. This wage replacement principle should be applied to the great majority of covered workers. Individual benefits of 66⅔ percent of weekly wage-loss are needed in most cases to cover nondeferrable living expenses and maintain normal family living standards.

2. The base for computing benefit amounts should be the worker's full-time gross weekly earnings during those weeks of the base year when earnings were highest.

3. Dependent allowances may supplement an adequate basic benefit schedule, but they should be provided only as a specified flat increment per dependent, entirely separated from and supplemental to the basic benefit schedule.

Improve the financing of the system by permitting reduced rates on a basis other than experience rating, prohibiting zero tax rates, and raising the taxable wage base, in steps, to the same base used for purposes of financing Old-Age and Survivors Insurance.

Federal legislation should also be enacted to establish an extended benefit program on a continuing basis for long-term unemployed workers who have had a firm attachment to the labor force. This program should also provide adequate opportunity for such workers to obtain vocational guidance and training as well as other appropriate types of assistance needed to qualify them for suitable jobs.

STATEMENT BEFORE

COMMITTEE ON FINANCE

UNITED STATES SENATE

ON

H. R. 14705

STATEMENT BY

CARLOS MOORE,

LEGISLATIVE AND POLITICAL DIRECTOR

INTERNATIONAL BROTHERHOOD OF TEAMSTERS,

CHAUFFEURS, WAREHOUSEMEN AND HELPERS

OF AMERICA

FEBRUARY 17, 1970

Mr. Chairman and Members of the Committee.

As the first order of business, we wish to thank the Committee for this opportunity to communicate our position on H. R. 14705. Unemployment compensation is an area of vital interest to all the men and women of this country that work day by day at their various tasks. As the representative of over 2 million working Americans we are here to endorse the positive elements of H. R. 14705, and we are here to recommend amendments to this bill, which we sincerely feel will improve the unemployment compensation program of our country.

We enthusiastically endorse those elements of H. R. 14705 which upgrade the program of unemployment compensation. We endorse that provision of this bill which prohibits the disqualification of an individual when he is engaged in a training or self-improvement program. We endorse those provisions of this bill which establish a period of extended benefits triggered by local or national high unemployment. We endorse that provision of this bill which requires the combining of work credits earned by an employee in different states. We endorse the provisions of this bill which establish unemployment compensation, research and training programs. And we endorse and applaud those provisions of this bill which extend the coverage of unemployment compensation to 4½ million working Americans who daily add to the prosperity of this country. We endorse these provisions and recommend that the bill which will be reported by this Committee include these positive elements.

The legislation that is before this Committee is good legislation.

However, we urge the inclusion of additional measures which we sincerely believe will make our unemployment compensation system more effective and more just. And with a view to improvement we recommend these major amendments to H. R. 14705. They are:

1. Coverage within the framework unemployment compensation legislation of all workers who are attached to the labor force;

2. The establishment of a realistic benefit level of 50% of gross wages lost by reason of involuntary unemployment;

3. The adoption of the tax procedures recommended by the Department of Labor.

COVERAGE

Let us look at the theory of unemployment compensation. There is general agreement among economists that an effective unemployment compensation program must accomplish several real goals, the most significant of which are as follows:

1. To provide a measure of economic security for wage earners and their families through an adequate partial compensation for wage loss from involuntary unemployment;

2. To cushion economic slumps and prevent spiraling unemployment by helping to maintain a workers purchasing power lost as a result of involuntary unemployment;

3. To stimulate regularity of employment on the part of individual firms by means of incentive tax provisions;

4. To achieve a fair and equitable distribution of the cost of unemployment.

In order to accomplish these important goals of an effective unemployment compensation program, it is most basically necessary to identify who should be compensated. Here again, there is general agreement among economists as to the criteria which should be used for identifying the target population who will be potential beneficiaries. While the implementation of the criteria may be difficult

the statement of it is simple. All those who are attached to, that is,all those who are a real part of a nations work force are proper and necessary potential beneficiaries of any well functioning and effective unemployment compensation program.

As has already been pointed out, 4.5 million employees are added by H. R. 14705 to unemployment compensation coverage. This is a significant step forward, but 12.1 million persons who are an intrigal part of our productive work force still will not be covered by the FUTA. Of the 12.1 million workers which will be excluded from coverage under FUTA if H. R. 14705 is not amended, there are 8.5 million state and local government employees. The remaining 3.6 million workers which will be left out are made up primarily of agricultural and domestic employees.

It must be noted that the exclusions under present FUTA law which were left untouched by H. R. 14705 are not based on an employees "attachment to the labor force" nor upon the promotion of any of the basic objectives that an unemployment program is supposed to accomplish. The exclusion is based solely upon catagory of employment.

In connection with state and local government employees, some merit can be found in the rationale that the complexity involved in the taxation of state and local governments by the federal authority recommends that these state and local government employees not be covered at present. However, the tailoring of a process of funding to accommodate the exigencies of this problem are not beyond the intelligence and ingenuity of our federal legislators. A program should be devised whereby these employees are protected.

In analyzing H. R. 14705 it becomes obvious that the exclusion of all agricultural workers is the most grievious shortcoming of

this piece of legislation. This exclusion represents another failure to achieve a just and equitable legislative program. These workers have for thirty-four years been left out of our unemployment compensation program just as they have been left out of many many other programs which are designed to benefit the people of this country. It is difficult to expect the man on the street to have respect for all individuals and to subscribe to a philosophy of equality if we build prejudice inequity and a lack of equality into the law of the land. It is the duty of the leaders of this country to set an example for our people in the acceptance and practice of the principal of individual equality.

By excluding these agricultural workers we do not promote the objectives of an unemployment compensation program. Do we provide security for the individual farm worker? Obviously we do not for if he is temporarily unemployed involuntarily he has no income. We do not inroduce into his life any social stability by this exclusion. When he is unemployed he cannot wait for things to improve, he must move to another geographic area in order to sustain himself and his family financially. We would by the failure to include agricultural workers promote the migratory nature of these people and all the evils that this encompasses.

We do not promote the economic stability of our country when we exclude this significant portion of our work force. By the very nature of their occupation they are seasonal employees,and in hard times they are the last persons to be hired and the first persons to be laid off. They are the least skilled and the most vulnerable segment of our labor force.

We do not by the exclusion of the agricultural industry stimulate a regularity of employment by farm employers as is done by the incentive tax policies applied to industries that are included within the Federal Unemployment Tax Act. The exclusion of agricultural workers does not promote the objective of an unemployment compensation program.

Is this exclusion of the agricultural industry based on any recognized criteria? (That is, the criteria which was mentioned earlier in this statement, the attachment to the labor force.) A careful search of the report made by the Committee on Ways and Means of the House of Representatives fails to disclose any such reasoning to explain the exclusion of the total agricultural industry. And common sense will tell us that a farm worker is as much a part of the nation's work force as anyone.

Is this exclusion of agricultural workers based on a lack of administrative capacity inherent in the industry? This could not be the case because the agricultural industry has demonstrated administrative capacity by its compliance with FICA laws which now require a similar reporting and taxing procedure as would the FUTA if it were applied to agricultural workers.

The problem of having an employer who has a minimum number of employees and a minimum business orientation does not seem to have bothered the House of Representatives when it passed H.R. 14705 because it included, as you well know, a new definition of employers. This new definition includes anyone who employs one employee for 20 weeks or anyone that has a payroll of $800 or more yearly. This could make an employer who owns a mobile hot 'dog' stand.

in Coney Island with one employee obligated to contribute to the FUTA program. It is difficult to imagine that the owner of a farm would be less qualified or less apt to report than would the owner of a mobilehot dog stand.

Is this exclusion based, as some people have said, upon a lack of experience with such coverage? It has been argued that because there is no experience with coverage of an agricultural industry it would be impossible at this time to properly anticipate the problems that would arise under coverage of this industry. This cannot be the case because there is experience upon which we can draw. There are unemployment compensation programs which cover agricultural workers now in effect in Canada, Hawaii, California and North Dakota,as well as four other states in these United States. The experiences and problems and the solutions to these problems that have been encountered by these various states and the country of Canada are readily available. There is no lack of experience upon which to base coverage of agricultural workers under the FUTA. In Canada coverage is mandatory and unlike the proposals that have been considered in the United States, Canadian farm-worker coverage is subject to no size of firm exclusion. The program, established in 1967, covers 35,000 employers and has added 62,000 to the insured work force. Reported experience indicates that employer records are adequate and contribution delinquency is 10% below the average for other employers. (This last factor lends itself to the refutation of the argument that the agricultural industry lacks the administrative capacity to handle unemployment compensation coverage.) In Hawaii mandatory coverage

was instituted for agricultural employees in 1959. In Hawaii an employer may elect to contribute under the regular employment insurance or may elect to pay only for the benefits paid which are chargable to him. California instituted its program of unemployment compensation for agricultural workers in December, 1968. This program has covered 765 employers with approximately 18,000 employees.

Some opponents of the inclusion of agricultural workers under the Unemployment Compensation Program have asserted that the cost for such coverage would be disproportionate when compared to other industries. This has not been the case with Canada, Hawaii and California. In Canada for the total period of time that the program has been in effect the ratio of benefits to contributions has been 1.2 for the agricultural industry, and for the same period of time the ratio for forestry and fishing has been 4.4 and 2.0 respectively. In Hawaii for the years 1964 - 1967 the cost ratio has been consistly lower for the agricultural industry than for private industry as a whole. In 1967 the cost ratio of agriculture was 1.1 and for private industry was 1.6. In the state of California the cost benefits rates for agriculture under elective coverage in 1967 and 1968 were 5.3 and 4.5 respectively. This compares with 8.3 for the construction industry in California and 10.8 for the packing, processing, canning and preserving of fruits and vegetables industry in California.

The exclusion of agricultural workers from the Unemployment Compensation Program in H. R. 14705 was not based upon any criteria recognized by the economists of this nation; it was not based upon a lack of administrative capacity in the agricultural industry.

It is not based upon a lack of experience with agricultural industry coverage. It was not based upon the existance of a disproportionate cost expectation for the coverage of agricultural workers when compared with other insured industries.

Because no acceptable purpose is served and no good justification can be found for the exclusion of the employees of this country that toil to provide our fantastic agricultural production, the International Brotherhood of Teamsters urges that this Committee amend H. R. 14705 to afford the benefits of Unemployment Compensation to all agricultural workers who show themselves to be attached to our nation's work force.

REALISTIC BENEFIT LEVELS

Regular programs of Unemployment Compensation, as the law exists in the various states now compensate only 20% of wage loss from total employment. That is too small a fraction. Weekly benefits average well below 50% of a beneficiaries regular wage. The 50% level is that level which has been proposed by experts since 1954 when President Eisenhower in his economic report to Congress recommended that level of compensation. Weekly benefits for family heads with dependents are especially low. These low benefit levels most severely harm those who are most firmly attached to the labor force.

The present level of benefits is too low. Too low because the beneficiary cannot maintain his minimal financial obligations during unemployment and therefore cannot maintain any social stability. The benefit level must be raised because at the present level the effect of Unemployment Compensation as an economic stabilizer is

too diluted to be effective. The level must be raised in order to strengthen the potential stabilizing effect of our Unemployment Compensation Program, and to create a greater degree of economic security for the involuntarily unemployed.

TAX REVISIONS

In order to adequately fund FUTA programs now and in the future (especially extended benefit programs) additional revenue is needed. To raise this needed revenue, and raise it fairly--ie, to properly distribute the costs-- the taxing policies proposed by Secretary of Labor, George P. Schultz,in his testimony should be adopted.

The present $3000 wage tax base is grossly inadequate and obsolete when considered in the light of Federal Administrative cost and state benefit costs. Not only is it inadequate, it is unfair. Under the $3000 wage base low-wage, light industry states pay a greater portion of their payrolls in FUTA taxes than do high-wage, heavy industry state. And yet the high-wage, heavy-industry state creates the greatest drain on Unemployment Compensation funds during a recessionary economic period.

IN SUMMARY

Again, let me thank you on behalf of the International Brotherhood of Teamsters for your consideration and attention. We endorse H. R. 14705 and urge its prompt passage in-so-far as it promotes the well being of working Americans. At the same time, however, we feel that to pass H. R. 14705 as it now stands is inadequate and should be amended so as to increase its coverage, establish realistic benefits and adopt the tax provision proposed

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by the Department of Labor. The amendments proposed by this testimony are offered as positive steps to achieve justice and efficiency in our Unemployment Compensation Program.

AMERICAN RETAIL FEDERATION

1616 H STREET N.W., WASHINGTON, D.C. 20006

SUMMARY

The American Retail Federation's statement consists of a general statement supporting H.R. 14705. However, the statement suggests that the bill could be improved if all of the following changes were adopted:

Coverage

The Federation suggests that a more realistic provision would cover any employer who employed one or more in 20 weeks, or who had a payroll of $1,500 a quarter. Additional employment should not be covered.

Federal Standards

No overriding necessity has been shown for the adoption of the five federal standards contained in H.R. 14705. We strongly oppose a federal benefits standard.

Extended Benefits

We approve of the extended benefits provisions in H.R. 14705.

Financing

The two stage increase in the taxable wage base suggested by the Secretary of Labor is unwarranted. The increase to $4,200 in 1972 as contained in H.R. 14705 is more equitable.

STATEMENT OF R. T. KILBRIDE

ON BEHALF OF THE AMERICAN RETAIL FEDERATION

BEFORE THE COMMITTEE ON FINANCE

OF THE

UNITED STATES SENATE

ON

H.R. 14705

UNEMPLOYMENT INSURANCE REVISIONS

February 17, 1970

Mr. Chairman and members of the Committee on Finance, I am R. T. Kilbride, Corporate Federal and Payroll Tax Manager, Montgomery Ward & Company, and appear here in behalf of the 29 national retail associations and 50 state-wide associations of retailers comprising the American Retail Federation. Through its association membership the Federation represents approximately 800,000 retail establishments of all types and sizes.

General Statement

The Federation supports the need for constant review of our federal-state system. We are glad that the Administration and the Department of Labor recognize this. Your committee has before it H.R. 14705, which represents the action taken by the House of Representatives on the Administration's recommendation for changes in Federal unemployment insurance statutes. While we prefer a bill more nearly approaching the bill which was considered by this

Committee in 1966 (H.R. 15119), following House passage, H R. 14705 will on the whole, maintain the federal-state relationship as it now exists. Although H.R. 14705 would be more preferable if certain provisions, particularly federal standards, were eliminated, we recognize that legislation is a creature of compromise and we can support H.R. 14705 as a sound and reasonable compromise of conflicting views. However, we believe the bill could be improved if all of the following changes were adopted:

Coverage

The retail industry approves an extension of coverage of the federal law to employers of one or more, as many states have already done. This extension of coverage should be done on a reasonable basis. The bill contains a provision extending coverage to employers of one or more employees in 20 weeks in a calendar year or with a quarterly payroll of $800. The Federation suggests that a more realistic provision would cover an employer who employed one or more in 20 weeks, or who had a payroll of $1,500 a quarter. This coverage test would be more meaningful, since it would apply to employers who provide some measure of substantial employment and it would make it more likely that the tax on the wages paid could be returned as benefits to those whose wages were used as a measure of the tax. Nonetheless, the coverage extensions proposed by H.R. 14705 go far enough. Additional employment should not be covered.

Federal Standards

H.R. 14705 does contain five federal eligibility standards which state laws must meet if their taxpaying employers are to have the benefit of the offset tax credit. While the Federation supports H.R. 14705, it must emphasize that no overriding necessity has been shown for the adoption of these five federal standards. The federal-state system was designed to establish

unemployment compensation systems in the states, giving to those states as much discretion and leeway as possible in order that they might best meet the problems pertaining to their individual states. Thus, while all of the proposed additional federal standards represent laudable objectives, we do not believe that they should be included in the federal law.

The five standards and brief reasons why their adoption is unnecessary are listed below:

1. Prohibition of the "double dip." Thirty-two states now effectively prohibit an individual from receiving compensation and filing again in his next benefit year without having worked in between. In those states which still permit this, the amount and duration of the second round of benefits is generally much lower and the number of claimants is not great. The trend in the states is to abolish the "double dip" and we believe that, with encouragement from the Labor Department, it can be abolished without the necessity of creating a new mandatory federal standard.

2. Prohibition agains denying benefits to trainees. When the Ways and Means Committee put a similar provision in H.R. 15119 in 1966, only 22 states had a corresponding provision in their laws. Since that time, seven more states have adopted it. The trend is towards further legislation in this field. In addition, many training courses now provide allowances at least equal to unemployment compensation benefits. Many other courses are for the benefit of the hardcore unemployed, who undoubtedly would not be able to qualify for any meaningful benefit. Adoption of the prohibition against denying benefits to trainees by

all states would be most desirable, but retailing does not consider it to be a national problem requiring federal legislation.

3. Prohibition against denial or reduction of benefits because an individual resides in another state. H.R. 15119 contained a similar provision. At that time, three states, Ohio, Alaska, and Wyoming reduced benefits when the claimant filed from, or resided in another state. Ohio has since eliminated this practice, leaving only two states, with 0.2% of the total work force, still continuing it. This again is not a serious or a national problem justifying federal legislative interference.

4. Requirement that all states participate in arrangements for combining wages. We do not believe that there is any problem here at all. From the beginning, the states have been concerned about the rights of employees who moved from state to state, and have worked assiduously to protect the benefit rights of these workers. A basic plan for interstate payments has voluntarily been agreed to by every state, and more flexible and more liberal plans have also been voluntarily adopted by a very substantial majority of states.

5. Prohibition against cancelling wage credits or benefit rights for causes other than misconduct, fraud, or disqualifying income. The two principal causes, aside from misconduct connected with work, fraud in connection with a claim, or receipt of disqualifying income, are voluntary quits and refusal of suitable work. At present, eighteen states have provisions for cancellation or reduction in the case of voluntary quits and fifteen for refusal to accept suitable work.

However, it should be noted that of the eighteen states having provisions for voluntary quits, only five require total cancellation and of the fifteen states having provisions for refusal to accept suitable work, only four require total cancellation. In the others, the penalty is flexible and applied according to the facts of the individual case.

As the states have improved and increased their benefits, they have also tended to tighten up on the penalties to those who have deliberately contributed to their unemployment. We see nothing wrong in this. On the contrary, we believe that it is salutory. The intent of the system is to assist the individual who loses his employment through no fault of his own.

Lastly, but most important, H.R. 14705 does not contain a federal benefits standard, and the Administration has not sought such a standard now. We oppose federal benefit standards because their adoption would lead to the complete destruction of the federal-state system as we now know it and its replacement by a completely federalized system. We support H.R. 14705, but we stress the absence of any compelling reason to intrude five federal eligibility standards into the unemployment compensation system.

Extended Benefits

It is most essential that a system of extended benefits be written into law. Past experience shows that the temporary extended benefit provisions enacted by Congress during two recession periods were not entirely adequate or effective. They came too late and lasted too long.

The system devised in H.R. 14705 proposes a system triggered in either on a state-by-state basis, or on a national basis, and triggered out in the same manner. This system is to be financed by the states and federal government on a 50-50 basis.

We believe that this system recognizes that recessions do not strike the entire country overnight. Their incidence is spotty, and often begin in widely separated states. A national trigger could begin extended benefit payments in some states long after they were needed. Conversely, the national trigger could continue extended benefit payments in states for a longer period than the state unemployment situation would warrant.

Although the cost of financing extended benefits would presumably be the same whether financed solely by the federal government or financed equally between the federal government and the states, we prefer the latter system. It would conform more closely with the present concept of a federal-state system. In addition, it would give the states some flexibility in operation - they could levy the necessary tax increase on an experience rating basis if they so chose, or could supply the funds from general revenues if they found that preferable.

One provision of H.R. 15119 should certainly be included in an extended benefit program. This provision gave the states some leeway in the matter of eligibility for extended benefits, allowing them to require more attachment to the labor force than they would do in the case of regular benefits. Specifically, it would have permitted states to require 26 weeks of covered employment in a claimant's base period to make him eligible for the extended benefits. This provision would have allowed states to exclude, if they chose

to do so, chronic exhaustees and seasonal workers who happened to exhaust benefits at the time the extended benefit program triggered in.

Financing

In his testimony before this Committee, Secretary of Labor George P. Shultz proposed an increase in the amount of the taxable wages, or in other words, the tax base, to $4,800 in 1972 and to $6,000 in 1975. To retailing, this is an unwarrantable increase. We oppose it for two reasons. First, because we believe that it would bring in far more revenue than needed, and second and more important, because it would upset the unemployment compensation revenue raising systems of the states. Each state - with the sole exception of Alaska - would be forced to make substantial increases in its tax base, by 100% in the case of 27 states and the District of Columbia.

The financing of administrative expenses, and the financing of the federal share of the extended benefit program (particularly if this be borne equally by the state and the federal government) should not be done at the expense of the individual state financing plans. The states have been given the freedom to adjust their tax rates and their bases so as to meet their own individual problems. If they need more revenue for benefits, they can adjust their tax bases upwards at any time they see fit, and 22 states have already done so.

H.R. 14705 would increase the taxable wage base to $4,200 in 1972. While this still represents a large increase, we think that it is more equitable than the Administration's proposal.

Conclusions

The Federation supports H.R. 14705 as a reasonable and workable compromise, although we would prefer to have certain provisions altered or deleted. The

coverage provisions of the bill are very desirable, but they should not be extended. We strongly endorse a provision for a system of extended benefits. However, we oppose raising the taxable wage base higher than the $4,200 amount provided for in H.R. 14705. Most important, we emphasize our continued opposition to federal benefit standards.

Thank you very much for the opportunity to present retailings' views to you.

SUMMARY

The National Federation of Independent Business opposes that provision of H. R. 14705 which would change the coverage test from 4 employees in 20 weeks during the calendar year to $300 or more in Quarterly payroll. Such a change would throw an additional tax burden of a quarter billion dollars or more on a great many of the Nation's smallest business enterprises. This move comes at a time when the Small Business Community can ill afford to shoulder this additional burden of increased payroll taxes.

STATEMENT OF JEROME R. GULAN, LEGISLATIVE DIRECTOR
NATIONAL FEDERATION OF INDEPENDENT BUSINESS
921 WASHINGTON BUILDING, WASHINGTON, D. C. 20005
737-3523

TO: SENATE COMMITTEE ON FINANCE - FEBRUARY 17, 1970

SUBJECT: H. R. 14705 - EMPLOYMENT SECURITY AMENDMENTS OF 1969

The National Federation of Independent Business thanks the Committee for the opportunity to present testimony concerning Employment Security measures and their importance to the 5 million small businesses throughout the United States.

The Federation now represents almost 278,000 small and independent business and professional people in the country, or approximately one out of every 20 businesses.

Few people today would question the importance of small business in our economic mainstream, or the wisdom of helping to maintain and strengthen its renewing influence in the economy.

Our testimony today will be limited to that portion of this unemployment compensation bill which would replace the present 4 employees in 20 weeks in any calendar year test for coverage by a test of $300 or more in payroll quarterly. It is so limited because this is the only area in which we have a clear Mandate from our members.

Although the Federation has not polled its members on the particular provisions contained in H. R. 14705, we have polled repeatedly over the years on very similar proposals.

Mr. Chairman, and members of this Committee, on behalf of our members we would like to ask a simple question, and this is it: "Is there a doctor in the house? -- specifically a physician to treat the schizophrenia that seems to have broken out in governmental attitudes toward small business?

For instance, as we understand it, and as our members understand it, the attitude of succeeding Administrations and Congresses, including the current Administration and Congress, toward small business is spelled out clearly in Section 202 of the Small Business Act of 1965, which reads, in part, as follows:

> "The essence of the American economic system of private enterprise is free competition. Only through full and free competition can free markets, free entry into business, and opportunities for the expression and growth of personal initiative and individual judgement be assured. The preservation and expansion of such competition is basic not only to the economic well-being but to the security of this Nation. Such security and well-being cannot be realized unless the actual and potential capacity of small business is encouraged and developed...."

Yet, gentlemen, within the past year we have seen done many things which absolutely contradict this fine expression of policy. Among these have been the gradual choking off of the ability of the Small Business Administration to assist in all phases of existing programs that would provide financial assistance to small business, repeal of the 7% Investment Credit which has been so useful in assisting the financing of small business modernizations made absolutely essential in order that by increasing productivity, these units might compensate for increased cost and thus remain competitive and now this proposal contained in H. R. 14705.

What would this phase of H. R. 14705 do? By substituting for the current coverage test of 4 employees in 20 weeks a new test of $300 or more in payroll in any quarter, it would blanket into the Unemployment system an additional estimated 1,600,000 employees of small business.

Now, fully recognizing the security needs and desires of these employees - all quite understandable and legitimate - we think it only just to ask a question about the additional cost burdens which are possible. After all, it is acknowledged by experts in economics, and indicated in our continuing economic surveys, that small business is already undergoing a severe financial squeeze. We must all assent to the statement that a weakened goose cannot produce high quality golden eggs - employment, wage, or security-wise.

In computing these cost burdens let us assume that newly-covered employees will be averaging $4,800 yearly in earnings, and that newly-covered employees will, in 1972, be required to pay into the Unemployment Compensation system an average 3.1 per cent of payrolls subject to the unemployment compensation tax. This is an assumption because rates vary among the States and because experience-rating does change the tax burden, and further because there is no certainty that these employees will be averaging $4,800 yearly.

On this basis, however, the newly-covered small business employers would have added to their costs, that year, for 1,600,000 employees, an additional burden totaling some $236,800,000 yearly, or an average $148 additional per employee. Carrying forward these assumptions to 1974 and later, this additional burden could rise to $297,000,000, or an average $186 per employee.

In the meantime, what is involved in the current repeal of the 7% Investment Credit, with no exception for small business? The results of our economic survey during 1967 furnish some indications.

In that survey we asked our members if they had purchased equipment during the past year, and whether in so doing they had taken advantage of the 7% Investment Credit. In the 0-3 employee stratification (which is the stratification which will be affected by replacement of the current Unemployment Compensation coverage test), an average 36 per cent of respondents indicated that they had purchased equipment during the preceding year. Of this number, just about 80 per cent indicated that in so doing, they have taken advantage of the Investment Credit to the tune of an average tax saving of $199 each. This is an advantage which was taken away from them at the same time that it was proposed to add to their costs by perhaps $148 to $186 yearly per employee.

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And what of their financial position? Indications from our continuing economic surveys confirm observations made independently by prominent economists: small business is undergoing an intensifying economic squeeze - and our surveys indicate that this squeeze is most severe in the very size category that this change in the Unemployment Compensation program would affect - those firms in the 0-3 employee category. As a strong suggestion of what is going on within the small business sector, let us turn to one of the questions in our current economic survey, that in which we ask how sales volume at time of query compares with last year. The proportion of respondents answering higher has declined steadily from February, 1969, to date. However, we see this phenomenon:

On the one hand a considerably larger proportion of firms with 50 or more employees reported, 1969 Second Quarter, sales higher than a year earlier, and this proportion has tended to increase, while on the other a <u>considerably smaller</u> proportion of firms in the 0-3 employee category reported during the same period sales higher than last year, and this proportion has tended to <u>decline</u>. This, again, tends to tie in with independently made observations of others - that the smallest of small firms are feeling the pinch most keenly.

It might be helpful to observe that in answering the forementioned question our members are not necessarily adjusting for the continuing price inflation which has taken place during the past year.

Gentlemen, in this testimony we have made certain assumptions on the basis of which we have arrived at certain numerical conclusions. In all honesty we must say, as we have implied clearly, that the conclusions may not be statistically valid. But this much we can say without fear of successful contradiction - that during the period of our observations it is true that government has been adding to the cost burden of small business, and will continue to do so under H. R. 14705,

and most especially to those smaller small businesses which are least able to get by and most in trouble now. This is being done against the backdrop of the official position, that stated in the wording of the Small Business Act of 1965, which declares a policy of encouraging small business growth.

We recognize the questions of equity involved. We can understand the pressures on all in government, and on the Members of this Committee. We recognize the many and diverse claims that are being made on those in Government. But we do feel that in changing this coverage test, a decision will be made against small business - and one that will reflect unfavorably not only on small business, but necessarily also on its employment ability. For this reason, we oppose the proposed change in this test. In conclusion, however, we are not so naive as to believe that our point of view will necessarily carry. In such case, we would suggest a compromise along the line so often opted for by our members in their The Mandate votes, and it is this: that if the Congress does decide for this change, it make an amendment to the law requiring that employees pay a fair share of the tax burden.

Unemployment compensation is a benefit for employees - it aims to protect them against want while they are out of jobs and seeking new positions. It is only right that they should pay at least part of the taxes that support the program, just as they do in the Social Security program.

On behalf of our members, we thank you.

NATIONAL SHARECROPPERS FUND
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STATEMENT ON H.R. 14705
PRESENTED TO THE SENATE COMMITTEE ON FINANCE
BY FRANK McALLISTER, CHAIRMAN
NATIONAL SHARECROPPERS FUND

FEBRUARY 17, 1970

The following testimony is in support of H.R. 14705 being modified to include farm workers under unemployment insurance coverage.

The National Sharecroppers Fund is pleased to have this opportunity to express our views on H.R. 14705. Our organization has been concerned with the problems of farm labor for 33 years, and from my own personal experience also, I have become deeply aware of the needs of farm workers. Although the concept of unemployment insurance is accepted in the United States, both for its economic wisdom and for its expression of an advanced social conscience, Congress has not yet included under its coverage this essential, yet needy segment of America's workforce. I am speaking, of course, of America's agricultural workers.

The National Sharecroppers Fund, because of its concern with farm labor, has requested to testify before this Committee to strongly urge that H.R. 14705 be modified to include farm workers. Four years ago we appeared before the House Ways and Means Committee in favor of the extension of the coverage of the Federal Unemployment Tax Act to include agricultural workers, and last Fall we, again, submitted testimony to that Committee

in support of H.R. 12625 -- the Administration's original unemployment insurance bill.

The fact that agricultural workers are excluded from H.R. 14705 is a serious omission. Agricultural workers are today, as they were four years ago, specifically excluded from coverage under State systems of unemployment insurance everywhere in the United States except for Hawaii, California, and North Dakota.

Most industrial workers have, for some time, enjoyed the benefits of this basic legislation as well as protection in such areas as minimum wage guarantees, regulations on child labor, protection of the right to collective bargaining, etc. Agricultural workers, on the other hand, have been excluded from this protective legislation. In recent years, the Fair Labor Standards Act has been extended to include them, but it becomes clear that unemployment insurance is essential if the depressed condition of the farm laborer is to be at all improved.

We are supporting the original Administration proposal contained in H.R. 12625 that would cover 5% of employing farms which have four workers in 20 weeks. These farms provide approximately 30% of all farm jobs, or employment for about 425,000 farm workers.

Over the years, various arguments have been made opposing the inclusion of agricultural workers under the coverage of unemployment compensation. One of these arguments is that the cost of coverage is impractically high. In support of this

argument, opponents of coverage have pointed out the high rate of agricultural unemployment. For example, in 1967, the average number of days worked in agriculture by noncasual agriculture workers was only 142. (U.S. Department of Agriculture, Hired Farm Working Force of 1967). We would counter this argument on two grounds. First of all, as we see it, this statistic points out the desperate need of coverage rather than any reason for avoiding coverage. Farm workers are the most economically depressed group in the country today. Although agricultural wages have been rising in recent years, they are still far below that of other industries. Department of Labor figures show that in 1968 the average hourly wage for agricultural farmworkers (without room and board) was $1.41. This is compared with an average hourly wage of $3.05 for all manufacturing workers. Even workers in laundries and drycleaning establishments, which have traditionally paid low wages, received 50 cents more per hour than agricultural workers. On such a wage, particularly with inflation as it is today, it is impossible to save any money, and therefore, periods of unemployment mean periods of tremendous economic hardship. Unemployment insurance is an absolute necessity to help farm families live through their frequent periods of unemployment.

Secondly, while the cost of covering agricultural workers will be higher than the average cost of covering all other workers presently covered, it will not be significantly higher. The 1969 Report made by the Subcommittee on Migratory Labor of

the United States Senate revealed that "studies of Arizona, Connecticut, New York, and Nebraska actually indicate lower costs for the coverage of regular year-round agricultural employees than for all non-agricultural workers." The Report went on to state, however, that the costs of extending this law to seasonal farm workers would be somewhat higher than for other elements of the general workforce but would still be kept within reasonable range.

Another argument used by opponents of the coverage of farm workers is that it is not possible because of difficulties in record-keeping and in administration. This, again, is not true. Under the proposed legislation, coverage would be extended to workers on large farms only. These farms are already covered by the provisions of minimum wage and social security for which the farmers must keep records.

If H.R. 14705 were modified to include the President's original recommendations for agricultural workers, unemployment insurance would be extended to approximately 425,000 workers. This is about 30% of the 1.3 million wage and salary agricultural workers in America. However, only about 5% of all of the farms would be covered by this proposal. These are the farms or "agricultural businesses" as they are more properly called, that employ four or more workers in each of twenty weeks in the year. These are the largest agricultural businesses, often corporate giants, that can certainly afford the small additional time and expense that would come with extended

coverage of unemployment insurance. Small family farmers who do their own labor with the help of family members and perhaps one or two hired hands would not be involved.

Another important point concerns the necessity of unemployment insurance being covered by a Federal law. Unemployment insurance must not become the pawn of competition between states for the sale of farm produce.

We would, therefore, urge the modification of H.R. 14705 to include farm workers as they were included under H.R. 12625. We would also support the other proposal considered by the House Ways and Means Committee to cover farms which have eight workers in 26 weeks, however this is certainly a less acceptable alternative.

No worker is more essential to America's welfare than the agricultural worker. Yet no worker has been more neglected than the agricultural worker. He is an essential element in providing this nation with food and clothing, yet too often, through no fault of his own, he must see his children go without sufficient food and adequate clothing. It is essential that legislation be provided to assist the agricultural worker in breaking out of this cycle of poverty and deprivation, and the modification of H.R. 14705 would be an important step in attaining this goal.

FRIENDS OF FARM WORKERS

Testimony of Jim Hightower before the Senate Finance Committee
H. R.14705 - Unemployment Compensation
February 17, 1970

Summary

1. As farming has commercialized and become big business, the federal government has been especially attentive to the economic needs of small minority of big farmers, but has ignored the needs of farm workers.

2. One classic example of this is the government's policy since the 1930's of paying growers not to farm a portion of their land. With less land in production and mechanization on the increase, there were less jobs for farm workers. The grower would be compensated for taking land out of production, but the farm worker would not be compensated for being taken out of production.

3. Unemployment compensation can be a significant benefit to the individual farm worker and to his family. It can make the difference between getting another job or going on welfare.

4. Unemployment compensation is an investment in the farm worker that is long over-due.

FRIENDS OF FARM WORKERS

Testimony of Jim Hightower before the Senate Finance Committee
H.R. 14705 - Unemployment Compensation
February 17, 1970

Thank you Mr. Chairman and Members of the Committee for this opportunity to present the views of Friends of Farm Workers on H.R. 14705. My name is Jim Hightower, Coordinator for Friends of Farm Workers.

(Friends of Farm Workers is a very loose coalition of individuals, located both in Washington and across the country, who are concerned about legislative issues that affect the lives of America's farm workers. The organization does not pretend to represent farm workers, but we do seek to inform ourselves and to articulate a farm-worker viewpoint on issues that otherwise would be without such a viewpoint.)

I am concerned with only one issue in the legislation before you. That is the possibility of extending the unemployment compensation program to cover farm workers. The Department of Agriculture's Economic Research Service reports that the 1968 hired farm working force consisted of "about 2.9 million different persons." This statistic includes every type of farm worker in virtually every part of the nation -- from hired hands and sharecroppers to seasonal workers and migrant families.

These people have been described in report after report. They are our "harvest of shame;" they are the original and

true "silent" American, "forgotten" American, and "invisible" American; they are most certainly "the people left behind." As farming commercialized, captured the benefits of technology, and garnered political strength, it was able to achieve a control over its work force that is unique in American business. Through agribusiness, the government has developed policies to deal with the economics of agriculture, but they have failed to consider the disinherited of agriculture.

There has been some dialogue with this Committee on the potential cost of extending the unemployment compensation program to farm workers. We might put that cost in more-proper perspective if we briefly examine the impact of subsidies that the federal government has poured into corporate agriculture. Just this month President Nixon transmitted his Economic Report to the Congress. In it he points out that since the 1930's the government has made direct commodity payments to farmers and has engaged in production controls and other activities that have entailed "substantial budgetary costs." He notes that "direct payments alone were about $3.75 billion in 1969." And as Senator John Williams emphasized in 1968, "these payments are not for food produced or for services rendered but, rather are payments not to cultivate the land."

As you all know to well, this enormous handout has not gone to those of great need. One journalist, Robert Sherrill,

has reported that "about half this money is pocketed by the farmers who need it least -- those in the top 15 per cent income bracket."

Since the 1930's, the federal government has handed billions and billions of dollars over to these businessmen in order to take millions and millions of acres out of production. Coupled with mechanization (which the federal government also subsidized) this economic policy works directly against the needs of the farm worker. Agribusinessmen are paid handsomely to eliminate jobs, but farm workers are not even granted unemployment compensation.

That brings us to this hearing, where this Committee has the chance to take this small step for farm workers. The Secretary of Labor has testified on the national need and the feasibility of bringing these benefits at least to the workers on the largest farms. In the House Ways and Means Committee, Chairman Mills and Mr Byrnes were advocates of covering some farm workers. And none other than Governor Reagan has stood up to say that the states and even the growers see the need for extending coverage to farm workers.

Allow me to offer another perspective on this issue. It is not enough to consider budget figures and national statistics. To properly consider whether or not to extend coverage, it is essential at least to glance at the objective

of the whole program -- what unemployment compensation might mean to an individual farm worker. A 1966 study by the California State Employment Security Agency offers some insight.

This study found that if a wide-spread, unemployment compensation program had been in effect for farm workers, the average payment could have been $443.75 over 12 1/2 weeks. To a farm worker who suddenly found himself out of a job, that means $35.50 a week for 12 1/2 weeks. Clearly that is not an enormous amount of money -- it may even be considered a joke compared to the hundreds of thousands of dollars that his agribusiness employer received to take land out of production. But it might be enough money to provide the very basics of life, and it might buy enough time to get another job. As I understand it, that is what the unemployment compensation program is all about. It seems a meager public investment for such a vital result.

Without unemployment compensation, however, that farm worker and his family are without an interim income. His status changes from temporarily unemployed to desperately impoverished. Thousands of these farm workers are forced to swallow pride and attach themselves to welfare. Thousands more are forced to flee to the alien environments of inner cities -- Los Angeles, Denver, El Paso, Chicago, Cleveland,

Washington, and other places where they are un-needed and un-wanted.

It is essential that we begin to meet the needs of farm workers where they are. Unemployment compensation is one small program that could begin to help. I notice that the program has paid benefits of $50 billion in its history. I see no credible reason for continuing to exclude farm workers from a program that they clearly need and that clearly is adapitible to their needs.

Of all laborers, farm workers suffer most from job insecurity. For these Americans, unemployment compensation is a very real need. It is simple justice that those who pick the crops receive the same coverage granted those who process, deliver, and sell those crops. This organization most strongly urges the Senate Finance Committee to provide unemployment compensation to those who need it most -- America's farm workers.

Thank you.

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STATEMENT OF THE AMERICAN FARM BUREAU FEDERATION
TO THE SENATE COMMITTEE ON FINANCE

REVISION OF UNEMPLOYMENT INSURANCE STATUTES

Presented by Matt Trigg
Assistant Legislative Director

February 17, 1970

SUMMARY STATEMENT

The American Farm Bureau Federation supports the following principles relating to federal unemployment compensation statutes:

1. Provisions for the adjustment of employer premiums to reflect employer experience in stabilizing employment should be continued.
2. State responsibility to determine eligibility and benefits should be preserved.
3. Coverage of temporary, seasonal and casual employment of farm workers would be impractical.

Since many witnesses will testify relative to the first two points, and since so far as we know we will be the only witness to testify concerning the third point, we will limit our testimony to the latter.

We must oppose the proposals presented to this Committee by the Secretary of Labor, which we believe would be unworkable, for the following reasons:

1. Most farm employment is temporary and seasonal.

-- In 1968, 2,919,000 persons worked one or more days as hired farm workers.

-- 44.5% of these worked less than 25 days for all farm employers and averaged 10 days of such employment per worker.

-- 69.6% worked less than 75 days for all employers.

-- Only 30.4% worked 75 days or more for all farm employers.

Farm employment is becoming even more casual than in past years. This trend is indicated by the fact that the average number of days worked by hired employees in agriculture is declining.

Supporting statistical data are set forth in Appendices B,C, and D.

2. Most farm labor is not regularly attached to the labor force.

In 1968, 65% of all farm workers were students, housewives, retired people, unemployed persons, or people working on their own farms when not working as hired farm workers.

Statistical information concerning the non-attachment of most farm workers to the regular work force is set forth in Appendix E.

3. Benefit claims in relation to covered employees would be excessive.

-- Approximately 70% of the farm labor force works less than 75 days a year and would have insufficient base employment to be eligible for benefits even if the employers of such workers were covered.

-- Approximately 19 percent of the farm labor force works 75-249 days a year. Virtually all of these workers would be eligible for benefits if employed by covered employers, and would draw maximum or close to maximum benefits.

-- Approximately 11 percent of the farm labor force work 250 days or more a year. These workers may properly be termed permanent employees. Even in this case the ratio of benefits to revenues would be high. Tens of thousands of farmers employ a few farm workers on a 12-month basis, even though they may really need them for only 8-10 months during the year. If the economics of the situation are changed so that it is to the mutual advantage of the employer and employee that such employees be laid off in the winter months, it is inevitable that this will

become a common practice.

-- In addition it should be noted that the ratio of benefits to payrolls would be substantially increased by the fact that thousands of workers who now seek farm employment in other states (or in other parts of the same state) would have less incentive to do so.

-- The only state with meaningful experience that would be helpful in an endeavor to understand the impact of extending coverage to farm workers is North Dakota.

The North Dakota unemployment insurance program for farm workers is voluntary -- and is administered so as to exclude coverage of seasonal farm workers.

Despite this important exclusion, during the 9 years of the program's operation benefits have averaged 12.8% of taxable payrolls.

It would appear that if seasonal workers were also covered the ratio of benefits to payroll would be substantially higher.

The North Dakota experience is summarized in Appendix F of our written statement.

4. Multi-state farm workers would present a difficult administrative problem.

A substantial percentage of the hired farm labor force consists of migrants who work for a series of employers in two or more states. Such multi-state employment would necessitate, in each case where benefits are claimed, the accumulation of information necessary to determine:

-- The number of days of employment for each employer in the various states in which the employee has worked;

-- The gross earnings from each such employer;

-- Which employers are covered and which are not covered;

-- Whether the worker has cumulative work experience from covered employment by the series of employers to qualify him for benefits;

-- The amount and duration of benefits;

-- The state law which should be applicable in the determination of eligibility, the amount of payments, and the duration of payments;

-- The division of benefit payments and administrative costs among the states; and

-- Which state should handle the payment of benefits.

Supplemental problems include these: Many farm workers are illiterate and itinerant, and may be difficult to locate; they often use two or three names, for a variety of reasons; in some cases payrolling is on a family rather than an individual basis; there is a substantial "day-haul" operation in agriculture under which workers may work for different employers almost every day; in many cases farm workers are employed and payrolled by crew leaders rather than the farmer; and much farm labor employment is for only 2 or 3 hours per day.

These are not problems unique to agriculture. But we submit that the number and complexity of these problems in agriculture far exceeds those in any other industry and would involve uniquely difficult administrative problems.

No real study has been made that would throw any light on the impact of farm worker coverage on state funds and state programs. With the exception of the North Dakota data, all that are available are a few casual observations by persons who are not necessarily objective observers.

It would appear that substantially more information concerning the effects of farm worker coverage than has been provided should be available before consideration is given to such coverage.

We recognize that the arguments set forth above do not apply with equal force to seasonal and permanent workers. Periodically farmers and farm organizations have looked at the question of covering permanent farm workers with unemployment insurance. If a workable program could be developed, there would be advantages to farmers in such coverage. In 1969, at the request of our delegate body the previous fall, a "pro and con" review of the coverage of permanent workers was sent to State Farm Bureaus for use in their policy development program last fall. Again, at our annual meeting in 1969, our delegate body urged further study of this proposal. But the study of the problem given to the issue in the respective states has not resulted in the development of any practical approach to the problem. Certainly we do not believe the proposals presented to this Committee are workable.

APPENDIX A

FARM LABOR EMPLOYMENT

The employment of hired farm workers is declining as illustrated below:

Year	Annual Average Basis
1930	3,190,000
1940	2,679,000
1950	2,325,000
1960	1,885,000
1969	1,170,300

APPENDIX B

AVERAGE PERIOD OF EMPLOYMENT

The average number of days of employment of the farm labor force is declining, as illustrated below:

Year	Total Number Employed During Year	Average Annual Employment	Percent Of Full Employment
1956	3,575,000	1,953,000	55%
1960	3,693,000	1,885,000	51%
1964	3,370,000	1,604,000	48%
1968	2,919,000	1,213,000	42%

APPENDIX C

THE SEASONALITY OF FARM LABOR EMPLOYMENT

The major reason for the temporary employment of most farm workers is, of course, the seasonal nature of farming.

The scope of the variation in employment (on a national basis) is indicated below for 1968 from USDA "Farm Labor" reports:

Thousands Of Hired Farm Workers

Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
665	732	876	1046	1282	1709	1892	1811	1569	1378	970	672

Thus the number of farm workers employed in the peak month of July is nearly three times the number employed in January.

The variations in most states will be sharper than for the United States as a whole.

On individual farms the seasonal variation will be even sharper. On many farms no workers are hired during the winter months, but 20-40 workers may be hired during the harvest period.

APPENDIX D

DURATION OF EMPLOYMENT

Employment in agriculture is uniquely temporary, casual, short term. This is illustrated by the following data from "The Hired Farm Working Force of 1968", published by the U.S. Department of Agriculture:

Duration Of Employment Of Hired Farm Workers For All Farmer Employers	Number Of Workers In Group	Average No. Of Days Of Employment In Agriculture Of Workers In Group
Less than 75 days	1,299,000	10
25 - 74 days	731,000	45
75 - 149 days	308,000	108
150 - 249 days	256,000	200
250 - and over	324,000	312

APPENDIX E

ATTACHMENT OF FARM WORKERS TO THE NATIONAL WORK FORCE

Of the total of 2,919,000 persons who did some farm work during 1968 about two-thirds are very loosely attached to the Nation's hired work force, if at all. "The Hired Farm Working Force of 1968" reports the chief activity of such workers as follows:

	Number	Percent of Total
Keeping House	449,000	15.4
Attending School	1,107,000	37.9
Other Non-Labor Force	170,000	5.8
Farmers Or Farm Family	134,000	4.6
Unemployed	37,000	1.3
Total Non-Labor Force	1,697,000	65.0
Employed On Farms	649,000	22.2
Employed Non-Farm	373,000	12.8
Total In Labor Force	1,022,000	35.0
Total	2,919,000	100.0

APPENDIX F

NORTH DAKOTA EXPERIENCE

The only state with any significant experience with the coverage of farm workers by unemployment insurance is North Dakota.

The North Dakota statute permits voluntary coverage of workers employed by farmers on approval of the state agency administering the program.

The state agency will not approve applications for farmers producing seasonal crops. Even though this eliminates seasonal workers, and even though the payroll tax has varied between 5.82 and 6.63 percent, benefits paid to covered farm workers have been over twice tax collections.

The North Dakota experience with respect to such farm workers is summarized below:

	No. Of Units	Total Taxable Payroll	Tax Rate %	Total Tax Paid	Total Benefits Paid	Ratio - Benefits To Income	Benefits - Percent Of Payroll
1960	89	$216,776	5.95	$12,901	$ 12,226	0.95	5.6%
1961	118	236,235	6.15	14,527	30,853	2.12	13.0%
1962	162	361,341	5.82	21,017	36,324	1.73	10.1%
1963	153	344,324	5.85	20,150	55,329	2.75	16.1%
1964	136	324,790	5.83	18,924	52,519	2.78	16.2%
1965	134	265,756	6.63	17,633	40,328	2.29	15.1%
1966	135	352,332	6.16	21,696	44,056	2.03	12.5%
1967	127	358,554	6.01	21,560	44,387	2.06	12.4%
1968	120	377,263	6.31	23,820	46,595	1.97	12.4%

Cumulative Experience 1960-68

	Payroll	Tax Paid	Benefits Paid	Ratio - Benefits To Cost	Benefits, Percent Of Payroll
$	2,837,371	172,228	362,427	2.11	12.8%

If a program in North Dakota where most farm employment is comparatively stable, covering essentially permanent workers only, and at an exceedingly high tax rate - will not balance out - it is obvious that the enactment of farm labor coverage as proposed would involve a heavy drain on state funds.

SUMMARY

Testimony of the American Council on Education

Before the Committee on Finance

United States Senate

February 17, 1970

The American Council on Education -

1. Supports the provision of the House bill which provides that institutions of higher education may reimburse the State for benefits attributable solely to the experience of the institution.

2. Endorses the position that individuals, who are employed in an instructional, research or principal administrative capacity in institutions of higher education, should, with certain modifications, be covered under the unemployment compensation act.

3. Suggests the adoption of statutory language, appended to the testimony, which provides that instructional, research or principal administrative employees, who are employed on a continuing contractual basis, not be considered unemployed during periods of academic recess.

4. Supports the provision of the House bill that excludes students and student spouses from coverage.

Unemployment Insurance Coverage Amendments H.R. 14705

Statement of Arthur M. Ross, Vice President, University of Michigan

Representing the American Council on Education and Other Associations

Before the Finance Committee

United States Senate

February 17, 1970

Mr. Chairman and Members of the Committee: I am Arthur M. Ross, Vice President of State Relations and Planning at the University of Michigan, and I am appearing today on behalf of the American Council on Education, a voluntary, nongovernmental body which is the principal coordinating agency for 1538 colleges and universities and associations of higher education. Other organizations of higher education, a list of which is appended hereto, as Appendix B, join in the support of the position I shall express. I wish to add that I am not appearing on behalf of the University of Michigan itself.

We support the provisions of the House bill, basically because we recognize the responsibilities of educational institutions to provide protection for their employees against bona fide unemployment. The bill provides that each educational organization will be given the right to choose either to pay contributions under the normal contribution procedure or to reimburse the State for benefits attributable to service in the organization's employ - the so-called self-insurance provision. This contrasts sharply with the bill of several years ago which would have imposed a higher burden

on institutions of higher education because it related cost to the experience of industry generally rather than to the experience of the academic community itself. Under the current bill, there will be unemployment insurance costs only if the employee becomes unemployed, files a claim for unemployment insurance, is found to meet all the conditions of eligibility, and does, in fact, receive compensation.

The American Council on Education in 1965 and again this past year in a statement presented to the House Ways and Means Committee requested an exemption from coverage for faculty and other professional research and administrative personnel employed by institutions of higher education. The bill as passed by the House in 1969 contains this exemption. We presently recognize, however, that changing employment conditions in the academic world call for a re-evaluation of our former position. Therefore, I wish to state, that we believe it appropriate to delete from H.R. 14705 the provision which exempts individuals employed in an instructional, research or principal administrative capacity from the requirement of coverage for employees of State and nonprofit institutions of higher education. Since the extent of unemployment is low among such personnel, omission of the exemption need not add significantly to the costs of the organization.

By covering those who are genuinely unemployed the bill is equitable in that it would place unemployed workers in the enumerated categories in nonprofit educational institutions within a protected category available to most employees in the American economy. We agree that in terms of simple equity, occupational exclusion is undesirable because it would deny to those in the excluded categories the unemployment insurance protection enjoyed by their counterparts in private industry. We recognize that an instructional,

research or administrative employee, whose contract has not been renewed at the end of the contractual period, is in no different position than any other individual whose job has been terminated, and that he should receive the benefits that accrue to individuals of his status.

However, there is one distinctive characteristic of the contractual employment relationship between the instructor, researcher or administrative employee and the institution, which in our judgment requires a special statutory provision not now in the bill. Frequently the employee is employed pursuant to an annual contract at an annual salary, but for a work period of 9 rather than 12 months. It is also common for an institution, as a matter of convenience, to pay employees during the time that the college is actually in session, dividing the full year's salary, for example, into ninths or tenths and paying them in the months from September through May or June, inclusive. These annual salaries are intended to cover periods such as the summer when the employees are relieved of formal assignments. During these periods the employment relationship continues and the employee has been compensated for a full year. We believe that in this typical situation the employee should not be considered unemployed during the summer periods, a semester break, a sabbatical period or similar periods during which the employment relationship continues.

H.R. 14705 contains a provision which deals with the summer period by alloving State laws to provide the extent to which benefits based on services to an institution of higher education shall not be payable during the summer vacation period. The provision, however, is permissive in nature and not mandatory on the States and does not aid in solving the ultimate problem, as separate battles over this very issue would have to be fought in the legislatures of the fifty States.

91st Congress
2d Session

COMMITTEE PRINT

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TO
HEARINGS AND REPORTS
OF THE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE
FOR THE PERIOD
66TH - 91ST CONGRESSES
(1921 - 1970)

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Constitutional amendments, annual report pursuant to S Res 259, 87th 2d (Sen Rept 80)	Mar 19, 1963	87th	95
Congressional representation for the District of Columbia (S J Res 85 and 181)	May 23 & 25, 1962	87th	95
Nomination and election of President and vice president (S J Res 1, 8, 12, 13, 24, 27, 73) supplement to hearings held May 23, 26; June 8, 27, 28, 29 and July 13, 1961)	June 4, 1963	88th	112
Presidential inability and vacancies in the office of Vice President (S J Res 13, 28, 35, 84, 138-140, 143, 147)	Jan 22, 23; Feb 24, 25, Feb 28; Mar 5, 1964	88th	112
The electoral college. Operation and effect of proposed amendments to the Constitution of the U.S. (Committee Print)	Oct 10, 1961	87th	112
Presidential inability and vacancies in the office of the Vice President (Sen Rept 1382 to accompany S J Res 139)	Sen Rept 1382	88th	112
Proposed amendments to the Constitution of the U.S.A. (introduced in Congress from the 69th thru the 87th Congress. Dec 6, 1926 to Jan 3, 1963)	Sen Doc 163	87th	112
Election of the President. (S J Res and 19 related bills relating to the election of the President)	Feb 28; Mar 1, 2, 7-10; 1966; May 16-18, 1967; July 12-14, 18-20, 25; Aug 23, 1967	89th	137

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Allred, James V., of to be U.S. Circuit Judge, Fifth Circuit Pt. 2	Mar. 5, 1943	78th	9
Arnold, Thurman W., of to be Assistant Atty. Gen.	Mar 11, 1938	75th	6
Battle, John S., of Virginia, to be Member, Commission on Civil Rights	Feb 24, 1958	85th	70
Bernhard, Berl I., of Maryland, to be Member, Commission on Civil Rights	June 16, 1961	87th	93, 154
Boyle, William S., of Nevada, to be U.S. Attorney, District of Nevada	Apr 19, 27; May 3, 1939	76th	7
Brennan, William J., Jr., of New Jersey, to be Associate Justice of the Supreme Court of the U.S.	Feb 26, 27, 1957	85th	70, 158
Bress, David G., Dist. of Columbia, to be U.S. Attorney, District of Columbia Pt. 2	Oct 12, 20, 21, 1965	89th	135
Brownell, Herbert, Jr., of New York, Attorney General-Designate	Jan 19, 1953	83d	150
Cain, Harry P., of Washington, to be Member, Subversive Activities Control Board	Apr 21, 1953	83d	150
Carlton, Doyle E., of Florida, to be Member, Commission on Civil Rights	Feb 24, 1958	85th	70
Christenberry, Herbert W., of Louisiana, to be U.S. District Attorney, Eastern District of Louisiana	Jan 10, 12, 1942	77th	8
Clancy, John W., of New York, to be U.S. District Judge, Southern District of New York	June 19, 1936	74th	4
Clark, Ramsey, of Texas, to be Assistant Attorney General-Designate	Feb 27, 1961	87th	154
Clark, Ramsey, of Texas, to be Deputy Attorney General	Feb 8, 1965	89th	135
Clark, Ramsey, of Texas, to be Attorney General of U.S.	Mar 2, 1967	90th	135
Clark, Tom C., of Texas, to be Associate Justice of the Supreme Court of the U.S.	Aug 9-11, 1949	81st	17, 158
Clayton, Claude F., of Mississippi, to be U.S. District Judge, Northern District of Mississippi	Mar 3, 1958	85th	70

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Coleman, James P., of Mississippi, to be U.S. Circuit Judge, Fifth Circuit	July 12, 13, 1965	89th	135
Cooper, Irving Ben, of New York, to be U.S. District Judge, Southern District of New York	Mar 19-20; June 22 July 11, 24 Aug 7, 1962	87th	154
Cox, Archibald, of Massachusetts, to be Solicitor-General-Designate of the United States	Jan 18, 1961	87th	154
Dilweg, Lavern R., of Wisconsin, to be Member, Foreign Claims Settlement Commission	Mar 28 Apr 6, 1961	87th	154
Doar, John, of Wisconsin, to be Assistant Attorney General, Civil Divim on	Feb 25, 1965	89th	126
Douglas, John W., of Maryland, to be Assistant Attorney General, Civil Division	Mar 14, 1963	88th	119
Durfee, James R., of Wisconsin, to be Associate Judge, U.S. Court of Claims	Jan 25, 26, 1960	86th	80
Edwards, George C., of Michigan, to be U.S. Circuit Judge, Sixth Circuit	Oct 1; Nov 21, 1963	88th	119
Fortas, Abe, of Tennessee, to be Associate Justice of the Supreme Court of the U.S.	Aug 5, 1965	89th	135
Fortas, Abe, of Tennessee, to be Chief Justice of the U.S.			
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Freeman, Frankie M., of Missouri, to be Member, Commission on Civil Rights	July 28, 1964	88th	116
Goldberg, Arthur J., of Illinois, to be Associate Justice of the Supreme Court of the United States	Sep 11, 13, 1962	87th	154
Griswold, Erwin N., of Massachusetts, to be Member, Commission on Civil Rights	June 16, 1961	87th	93, 154
Hannah, John A., of Michigan, to be Member, Commission on Civil Rights	Feb 24, 1958	85th	70

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Harlan, John Marshall, of New York, to be Associate Justice of the Supreme Court of the U.S.	Feb 24, 27, 1955	84th	48, 158
Haynsworth, Clement F., Jr., of South Carolina, to be Associate Justice of the Supreme Court of the U.S.	Sep 16-19, 23-26, 1969	91st	152
Herbert, Thomas J., of Ohio, to be Member, Subversive Activities Control Board	Apr 21, 1953	83d	150
Hesburgh, Rev. Theodore M., of Indiana, to be Member, Commission on Civil Rights	Feb 24, 1958	85th	70
Holmes, Edwin R., of Mississippi, to be U.S. Circuit Judge, Fifth Circuit			
Pt. 1	Jan 24, 25, 1936	74th	4
Pt. 2	Feb 22, 1936	74th	4
Pt. 3	Mar 5-6, 1936	74th	4
Jackson, Robert H., of New York, to be Solicitor General of the U.S.	Jan 31; Feb 10, 11 Feb 15, 1938	75th	6
Jackson, Robert H., of Michigan, to be Associate Justice of the Supreme Court of the U.S.	June 21,23,27,30, 1941	77th	8, 158
Jaffe, Theodore, of Rhode Island, to be Member, Foreign Claims Settlement Commission	Mar 28 Apr 6, 1961	87th	154
Johnson, George M., of California, to be Member, Commission on Civil Rights	Apr 21, 1959	86th	80
Katzenbach, Nicholas deB., of Illinois, to be Assistant Atty. General	Feb 9, 1961	87th	154
Katzenbach, Nicholas deB., of Illinois, to be Attorney General of the U.S.	Feb 8, 1965	89th	135
Keady, William C., of Mississippi, to be U.S. District Judge, Northern District of Mississippi	Apr 3, 1968	90th	135
Kennedy, Robert F., of Massachusetts, to be Attorney-General-Designate	Jan 13, 1961	87th	154
Ladd, David L., of Illinois, to be Commissioner of Patents	Apr 5, 1961	87th	136, 154
Lee, Elmo Pearce, Sr., of Louisiana, to be U.S. Circuit Judge, Fifth Circuit	Nov 16, 1943	78th	9
Loevinger, Lee, of Minnesota, to be an Assistant Attorney General	Feb 7, 1961	87th	154
McCamant, Wallace, of Oregon, to be U.S. Circuit Judge, Ninth Circuit	Jan 29, 1926	69th	1

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McCulloch, Claude C., of Oregon, to be U.S. District Judge, District of Oregon	Aug 11, 13, 1937	75th	5
McGranery, James P., of Pennsylvania, to be Attorney General of the U.S.	May 5-8, 1952	82d	21, 22
McLane, A. V., of Tennessee, to be U.S. Attorney, Middle District of Tennessee	Feb 2-5, 1927	69th	1
Mandelbaum, Samuel, of New York, to be U.S. District Judge, Southern District of New York	June 19, 1936	74th	4
Marshall, Burke, of New York, to be an Assistant Attorney General	Mar 2, 15, 1961	87th	154
Marshall, Thurgood, of New York, to be United States Circuit Judge for the Second Circuit	May 1; July 12; Aug 8, 17, 20 Aug 24, 1962	87th	154
Marshall, Thurgood, of New York, to be Solicitor General of the U.S.	July 29, 1965	89th	135
Marshall, Thurgood, of New York, to be Associate Justice of the Supreme Court of the U.S.	July 13-14, 18-19 July 24, 1967	90th	135
Marshall, Thurgood, of New York, to be Associate Justice of the Supreme Court of the U.S.	Executive Report 13 (together with minority views)	90th	135
Meaney, Thomas F., of New Jersey, to be U.S. District Judge, District of New Jersey	May 13, 26, 1942	77th	8
Miller, Herbert J., Jr., of Maryland, to be Assistant Attorney General-Designate	Feb 27, 1961	87th	154
Morrissey, Francis X., of Massachusetts, to be U.S. District Judge, District of Massachusetts	Oct 12, 1965	89th	135
Murphy, Frank, of Michigan, to be Attorney General of the U.S.	Jan 13, 1939	76th	7
Nixon, Walter L., of Mississippi, to be U.S. District Judge, Northern District of Mississippi	June 5, 1968	90th	135
Norcross, Frank H., of to be U.S. Circuit Judge, Ninth Circuit	Mar 8-10, 15-17, Mar 21-22; May 11-12 May 15-17, 1934	73d	3
Oberdorfer, Louis Falk, of the District of Columbia, to be an Assistant Attorney General	Feb 6, 1961	87th	154

NAME AND POSITION	DATE	CONGRESS	VOLUME NO.
Orrick, William H., Jr., of California, to be Assistant Attorney General-Designate	Jan 18, 1961	87th	154
Parker, John J., of North Carolina, to be Associate Justice of the Supreme Court of the U.S.	Apr 5, 1930	71st	2
Patterson, Eugene C., of Georgia, to be Member, Commission on Civil Rights	July 28, 1964	88th	116
Re, Edward D., of New York, to be Member, Foreign Claims Settlement Commission	Mar 28 Apr 6, 1961	87th	154
Ritter, Willis W., of Utah, to be U.S. District Judge, District of Utah		81st	17
Roberts, Floyd H., of Virginia, to be U.S. District Judge, Western District of Virginia	Feb 1, 1939	76th	7
Robinson, Spottswood W., III, of District of Columbia, to be Member, Commission on Civil Rights	June 16, 1961	87th	93, 154
Smith, Orma R., of Mississippi, to be U.S. District Judge, Northern District of Mississippi	July 25, 1968	90th	135
Sobeloff, Simon E., of Maryland, to be U.S. Circuit Judge, Fourth Circuit	May 5, 21-22 June 4, 11, 25 June 28, 1956	84th	48
Sobeloff, Simon E., of Maryland, to be U.S. Circuit Judge, Fourth Circuit	Executive Report 8 (together with minority views)	84th	48
Stanley, Edwin M., of North Carolina, to be U.S. District Judge, Middle District of North Carolina	Feb 6, 1958	85th	70
Storey, Robert G., of Texas, to be Member, Commission on Civil Rights	Feb 24, 1958	85th	70
Thornberry, Homer, of Texas, to be Associate Justice of the Supreme Court of the U.S. Pt. 1	July 11-12, 16-20 July 22-23, 1968	90th	143
Pt. 2	Sep 13, 16, 1968	90th	143
Tiffany, Gordon MacLean, of New Hampshire, to be Staff Director Commission on Civil Rights	Apr 2, 1958	85th	70
Tilson, W. J., of Georgia, to be U.S. District Judge, Middle District of Georgia	Jan 19-20, 1927	69th	1

NAME AND POSITION	DATE	CONGRESS	VOLUME NO.
Tolin, Ernest A., of California, to be U.S. District Judge, Southern District of California	Apr 17, 1952	82d	21 & 22
Watson, Albert L., of Pennsylvania, to be U.S. District Judge, Middle District of Pennsylvania	June 17, 19; Sep 24; Oct 7, 1929	71st	2
White, Byron R., of Colorado, to be Deputy-Attorney-General-Designate	Jan 18, 1961	87th	154
White, Byron R., of Colorado, to be Associate Justice of the Supreme Court of the U.S.	Apr 11, 1962	87th	154
Whittaker, Charles E., of Missouri, to be Associate Justice of the Supreme Court of the U.S.	Mar 18, 1957	85th	70, 158
Wilkerson, James H., of Illinois, to be U.S. Circuit Judge, Seventh Circuit	Jan 21-22; Feb 9 Feb 10, 12, 1932	72d	2
Wilkins, J. Ernest, of Illinois, to be Member, Commission on Civil Rights	Feb 24, 1958	85th	70

Blackmun, Harry A., of Minnesota, to be Associate Justice of the Supreme Court of the U.S.	Apr 29, 1970	91st	
Burger, Warren E., of Virginia, to be Chief Justice of the United States	June 3, 1969	91st	153
Carswell, George Harrold, of Florida, to be Associate Justice of the Supreme Court of the U.S.	Jan 27-29; Feb 2-3, 1970	91st	153
Carswell, George Harrold, of Florida, to be Associate Justice of the Supreme Court of the U.S.	Exec Rept 91-14 (together with individual views) Feb 27, 1970	91st	153
Frankfurter, Felix, of to be Associate Justice of the Supreme Court of the U.S.	Jan 7, 10-12, 1939	76th	158
Minton, Sherman, of Indiana, to be Associate Justice of the Supreme Court of the U.S.	Sep 27, 1949	81st	158
Stewart, Potter, of Ohio, to be Associate Justice of the Supreme Court of the U.S.	Exec Rept No. 2 (together with minority views) Apr 29, 1959	86th	158

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Garabed free energy generator (S J Res 71)	Feb 23, 1923	67th	1
To amend the copyright act (S 2600)	Apr 9,17,18, 1924	68th	1
Registration of trade-marks (S 4811)	Jan 7, 1927	69th	1
Procedure in the patent office (S 4812)	Dec 21, 1926	69th	1
Extension of time limitations on certain patents (S 4927)	Jan 31, 1927	69th	1
Forfeiture of patent rights on conviction under laws prohibiting monopoly (S 2783) Pt. 2	Feb 20 & 21, 1928	70th	1
Trade-Marks (H R 2828)	Jan 17-18, 1930	71st	2
** insert report to accompany HR 2828			
Prevention of fraud in practice before the patent office (H R. 699)	Apr 30, 1930	71st	2
Suits for infringement of patents where the patentee is violating the antitrust laws (S 4442)	May 14,21,28, 1930	71st	2
Copyright registration of designs (H R 11852) Pt. 1	Dec. 16, 1930	71st	2
Pt. 2	Jan 8, 1931	71st	2
General revision of the copyright law (H R 12549)	Jan 28, 29, 1931	71st	2
Renewal and extension of U.S. letters patent (S 1301)	Mar 10, 1932	72d	2
Court of patent appeals (S 475)	June 22-24, 1937	75th	5
Trade-Marks (H R 9041)	Mar 15-18, 1938	75th	6
Importation of goods covered by U.S. patents (process patents on phosphate rock) H R 7851	May 5, 1938	75th	6
Classification of patents (H R 3605)	May 23, 1939	76th	7
Court of patent appeals and limiting patents to 20 years (S 2687; S 2688)	July 5, 6, 1939	76th	7
Revision of patent office interference practice (H R 3264)	Feb 24, 1944	78th	9
Trade-Marks (H R 82)	Nov 15, 16, 1944	78th	9
Recording patent agreements and limiting patents to 20 years (H R 2630-2632) (House Report)	May 29, 31; June 1 June 6, 7, 1945	79th	11

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Renewal of certain trade-mark registrations after expiry (H R 3424) (House report)	Sep 13, 1945	79th	11
Extending time for filing applications for patents (H R 2111; H R 4079) (House Rept)	Oct 2-5, 1945	79th	11
Recovery in patent infringement suits (H R 5231)	Jan 29, 1946	79th	11
American patent system (S Res 92)	Oct 10-12, 1955	84th	31
Patent extension (S 116 and H R 2128)	May 4; June 13, 1956	84th	31
Investors awards (S 2157 and H R 2383)	June 7, 1956	84th	31
Wonder drugs (S Res 167)	July 5-6, 1956	84th	31
Patents, Trademarks and Copyrights, annual report pursuant to S Res 167	Sen Rept 72 Feb 18, 1957	84th	31
Review of the American patent system	Sen Rept 1464 Jan 30, 1956	84th	31
Study 1 - Proposals for improving the patent system	Sen Doc 21 Feb 7, 1957	85th	31
Study 2 - The patent system and the modern economy	Sen Doc 22 Feb 7, 1957	85th	31
Study 3 - Distribution of patents issued to corporations	Sen Doc 23 Feb 7, 1957	85th	31
Study 4 - Opposition and revocation proceedings in patent cases	Committee Print	84th	31
Study 5 - The internationcal patent system and foreign policy	Committee Print	85th	52
Study 6 - Patents and non-profit research	Committee Print	85th	52
Study 7 - Efforts to establish a statutory standard of investigation	Committee Print	85th	52
Study 8 - The role of the court expert in patent litigation	Committee Print	85th	52
Study 9 - Recordation of patent agreements -- legislative history	Committee Print	85th	52
Study 10 Exchange of patent rights and technical information under mutual aid programs	Committee Print	85th	52
Study 11 The impact of the patent system on research	Committee Print	85th	52
Study 12 Compulsory licensing of patents - a legislative history	Committee Print	85th	52

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Study 15 - An economic review of the patent system		Committee Print	85th	52
Study 16 - The research and development factor in mergers and acquisitions		" "		
Study 17 - Renewal fees and other patent fees in foreign countries		Committee Print	86th	76
Study 18 - Synthetic rubber: a case study in technological development under government direction		Committee Print	86th	76
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Study 20 - Single court of patent appeals - a legislative history		Committee Print	86th	76
Study 21 - Technical research activities of cooperative associations		Committee Print	86th	76
Study 22 - Government assistance to invention and research		Committee Print	86th	76
Study 23 - Expediting patent office procedure		Committee Print	86th	77
Study 24 - Patent and technical information agreements		Committee Print	86th	77
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Study 26 - The patent system: its economic and social basis		Committee Print	86th	77
Study 27 - An analytical history of the patent policy of the Department of Health, Education & Welfare		Committee Print	86th	77
Study 28 - Independent inventors and the patent system		Committee Print	86th	77
Study 29 - The examination system in the U.S. patent office		Committee Print	86th	77
Study 30 - The law of employed inventors in Europe		Committee Print	87th	136
Patents, Trademarks and Copyrights, annual report pursuant to S Res 55	Sen Rept 1430 Mar 31, 1958		85th	52
Rendition of musical compositions on coin-operated machines (S 1870)	Apr 23-25, 1958		86th	70

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Study 1 -	The history of U.S.A. copyright law revision from 1901-1954	86th	76
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Study 4 -	The moral right of the author	86th	76
Study 5 -	The compulsory license provisions of the U.S. copyright law	86th	76
Study 6 -	The economic aspects of the compulsory license	86th	76
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Study 18 -	Authority of the register of copyrights to reject applications for registration	86th	77
Study 19 -	The recordation of copyright assignments and licenses	86th	77
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Study 22 -	The damage provisions of the copyright law	86th	77
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Study 30 - Duration of copyright		86th	77
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Study 32 - Protection of works of foreign origin		86th	77
Study 33 - Copyright in government publications		86th	77
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Department of Defense		87th	94
Federal Communications Commission		87th	94
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Patents, Trademarks and Copyrights, annual report pursuant to S Res 236, 85th 2d (Sen Rept 97)	Mar 9, 1959	86th	78
Patents, Trademarks and Copyrights, annual report pursuant to S Res 53, 86th 1st (Sen Rept 1202)	Mar 16, 1960	86th	78
Compulsory patent licensing under antitrust judgments	Committee Print 86th 2d	86th	78

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Infringements of copyrights (H R 4059)	June 2, 1960	86th	78
Plant patent (S 1447)	July 9, 1959	86th	78
Government patent policy (S 1084 & S 1176)			
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Pt. 2	May 31; June 1,2, 1961	87th	94
National patent policy (S 1084 & S 1176)	June 2, 1961	87th	94
Registration and protection of trademarks (S 1396)			
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Pt. 2	May 16, 1962	87th	94
Design protection (S 1884)	Aug 15-17, 1961	87th	94
Oath of applicant for patent and trademark (S 2639)	Sep 4, 1962	87th	94
Patent interference settlements (H R 12513)	Sep 4, 1962	87th	94
Patent office fees (S 2225)	Sep 4, 1962	87th	94, 136
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1961-62 management survey of the U.S. Patent Office	Committee Print	87th	94
Design protection (S 1237)	July 28, 1965	89th	108
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Copyright law revision (index to hearings before the subcommittee on Patents, Trademarks & Copyrights		90th	108
Patent law revision (S 2, 1042) (S 1377 and 1691)			
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Patents, Trademarks and Copyrights, annual report pursuant to S Res 267, 87th 2d (Sen Rept 107)		88th	136
Patents, Trademarks and Copyrights, annual report pursuant to S. Res 65, 88th 1st (Sen Rept 1018)		88th	136
Patents, Trademarks and Copyrights, annual report pursuant to S.Res 270, 88th 2d (Sen Rept 118)		89th	136
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To promote the progress of useful arts. Report of the President's Commission on the patent system (Sen Doc 5)	Feb 2, 1967	90th	136
Patent office fees (S 2547 and H R 8190)	Feb 27, 28, 1964	88th	136
Patent office fees (S 729, S 730, S 1228)	Mar 3, 1965	89th	136
Patent infringement (S 1047)	June 1-3; July 6, 7; Aug 17, 19, 1965	89th	136
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Rendition of musical compositions on coin-operated machines (S 1106)	July 15; Oct 26, 1953	83d	151
Universal copyright convention and implementing legislation	Apr 7-8, 1954	83d	151
Protection of trade-marks used in commerce (Hse Rept 657 to accompany H.R. 2828)	Feb 11, 1930	71st	2

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Amendment to refugee relief act of 1953 (S 2248)	Jan 18, 1956	84th	36
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Revision of title 10, USC, entitled 'Armed Forces' and title 32, USC entitled 'National Guard'	House Rept 970	84th	37
Revision of title 10, USC, entitled 'Armed Forces' and title 32, USC entitled 'National Guard'	Sen Rept 2484	84th	37
Revision of title 10, USC, entitled 'Armed Forces' and title 32, USC entitled 'National Guard'	Public Law 1028 (H R 7049)	84th	37
Amendments of titles 10, 14, 32, U.S. Code, to codify recent military law, and to improve the code (H R 8943)	May 27, 1958	85th	70

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Separation of Powers (a study of the separation of powers between the executive, judicial and legislative branches of government provided by the constitution ...)			
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Separation of Powers, annual report pursuant to S Res 40, 90th 1st	Sen Rept 1388 July 11, 1968	90th	163
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Separation of Powers, annual report pursuant to S Res 245, 90th 2d	Sen Rept 91-549 Nov 20, 1969	91st	163
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The Phiadelphia Plan (Congressional oversight of Administrative Agencies) The Department of Labor. S 931	Oct 27-28, 1969	91st	163

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Marriage and divorce (amendment to the Constitution) SJRes 5	Jan 11, 1924	68th	1
To prevent and punish the crime of lynching (S 121)	Feb 16, 1926	69th	1
Amendment of employees' liability act (S 1162 & S 1999)	Jan. 30, 1926	69th	1
To amend the Trading With the Enemy Act (S 2036-2587-3192)	Apr 27, 1926	69th	1
Compensation for employees in certain maritime employments (S 3170)	Mar 16 & Apr 2, 1926	69th	1
Southern judicial district of Kentucky (S 4162 & HR 11088)	Jan 8, 1927	69th	1
Investigation by the Dept. of Justice re: Senator Burton K. Wheeler (S Res 171)	Apr 9 & 14, 1926	69th	1
Constitutional Amendment making war legally impossible (S J Res 100)	Jan 22, 1927	69th	1
Limiting scope of injunctions in labor disputes (S 1482) Pt 2	Feb. 17,18,21-25, 1928	70th	1
Declaratory Judgments (HR 5623)	Apr 27 & May 18, 1928	70th	1
Reimbursement of Nevada for moneys actually advanced and expended in aid of the common defense (S J Res 41)	Jan 25, 1928	70th	1
Constitutional amendment making war legally impossible (S J Res 45)	Apr 12, 1930	71st	2
Defining and limiting the jurisdiction of courts sitting in equity (S 2497)	Apr 22, 1930	71st	2
Birth control (S 4436)	May 12,19,20, 1932	72d	3
Modification of Volstead Act (H R 13742)	Jan 7, 1933	72d	3
Worker's right to work (S 5480)	Feb 2, 3, 1933	72d	3
Limiting jurisdiction of Federal Courts (S 752)	May 26, 1933	73d	3
Equal rights for men and women (S J Res 1)	May 27, 1933	73d	3
Amendment of bankruptcy laws -- bankruptcy of municipalities (S 1868 & HR 5950)	Jan 24, 30, 1934	73d	3
Amending the bankruptcy act	Committee Print	72d	3

TITLE	DATE	CONGRESS	VOLUME NO.
Punishment for the crime of lynching (S 1978)			
Pt. 1	Feb 20, 21, 1934	73d	3
Pt. 2	Mar 16, 1934	73d	3
Birth control (S 1842)	Mar 1, 20, 27, 1934	73d	3
Constitutional Amendment making war legally impossible (S J Res 24)	Apr 14, 1934	73d	3
Investigation of bankruptcy and receivership proceedings in U. S. Courts (S Res 78)			
Pt. 4	Apr 7, 1934	73d	3
Thirty-Hour work week (S 87)	Jan 31; Feb 1,2,5-9, Feb 11-16, 1935	74th	4
To amend the longshoremen's and harbor workers' compensation act (S 2791)	July 23, 1935	74th	4
Resale price maintenance (S 3822)	Mar 13, 1936	74th	4
Price discrimination (S 4171)	Mar 24, 25, 1936	74th	4
Uniform system of bankruptcy (H R 8940)	May 21, 1936	74th	4
Prison-made goods (S 4286)	May 29 & June 2, 1936	74th	4
Resale price maintenance (S 100)	Mar 4, 1937	75th	5
Federal licensing of corporations (S 10)			
Pt. 1	Jan 25-29, 1937	75th	5
Pt. 2	Feb 25; Mar 1,3,5, 1937		
Pt. 3	Apr 27 & May 13, 1937		
Pt. 4	Mar 1,3,4,8-10,15-17, Mar 22, 24, 1938		
Ratification of constitutional amendments by popular vote (S J Res 134)	Jan 18,26; Feb 9, 1938	75th	6
Investigation of the National Labor Relations Board (S Res 207)	Jan 27,28; Feb 3, 1938	75th	6
Amending the employers' liability act (S 3397 & S 3398)	Feb 28; Mar 9, 1938	75th	6
Petroleum marketing divorcement (S 2879 & S 3752)	Mar 31; Apr 5,20,21, 1938	75th	6
U.S. Court of Appeals for administration (S 3676)			
Pt. 1	Apr 1 & 5, 1938	75th	6
Pt. 2	Apr 6, 1938		
Pt. 4	May 12 & 14, 1938		
Rules of civil procedure for the U.S. District Courts (S J Res 281)			
Pt. 1	Apr 18, 1938	75th	6
Pt. 2	May 19, 1938		
To amend the longshoremen's and harbor workers' compensation act (H R 5690)	Apr 7, 13, 1938	75th	6

TITLE	DATE	CONGRESS	VOLUME NO.
Homestead tax exemption (S J Res 220)	May 4, 1938	75th	6
Amending the federal employers' liability act (S 1708)	Mar 28, 29, 1939	76th	7
Additional Federal Judges (S 190, et al) Pt. 1	Apr 13, 17, 1939	76th	7
War referendum (S J Res 84)	May 10-12, 17-19, May 24, 31, 1939	76th	7
Homestead tax exemption (S J Res 88)	May 20, 1939	76th	7
Retirement of Federal Judges for disability (S 1282)	June 28 & July 7, 1939	76th	7
Municipal bankruptcy (H R 6505)	June 30 & July 12, 1939	76th	7
To amend the antitrust laws (S 2719) Pt. 1	July 28, 1939	76th	7
Crime of lynching (H R 801)	Feb 6,7; Mar 5, Mar 12, 13 1940	76th	7
Limiting jurisdiction of Court of Claims in Indian cases (S 3083)	Feb 13-16, 1940	76th	7
Tort claims against the U.S. (S 2690)	Mar 6 & 11, 1940	76th	7
Mountain judicial district in Tennessee (S 1681)	Mar 25, 1940	76th	7
Citizenship day (S J Res 233 and H J Res 437)	Mar 25, 1940	76th	7
Public defender for the District of Columbia (S 1845 & S 2871)	Mar 28, 1940	76th	7
Crime to promote overthrow of government (H R 5138)	May 17, 1940	76th	7
National representation for the District of Columbia (SJ Res 35)	Apr 16-May 6, 1941	77th	8
Administration of United States Courts (S 1050-1054; H R 138)	Apr 21,23; May 7, 1941	77th	8
Defense plant operation and labor relations (S 2054)	Nov 21,24,25,27, 1941	77th	8
Trial of good behavior of certain judges (H R 146)	Nov. 26, 1941	77th	8
Suspension of antitrust laws and federal trade commission act in certain instances in furtherance of the war effort (S 2431)	May 28, 1942	77th	8
Condemnation of land for war purposes (S 2625, S 2626 and H R 7143)	July 15, 1942	77th	8

TITLE	DATE	CONGRESS	VOLUME NO.
Designation of circuit judges to circuits other than their own (S 2655)	July 30, 1942	77th	8
Additional judge Fifth Circuit (S 2867)	Oct 23, 1942	77th	8
Red Cross (S 2441 & H R 7420)	Dec 4, 8, 1942	77th	8
Trade-Marks (S 895)	Dec 11, 1942	77th	8
Senate confirmation of officers and employees (S 575)	Feb 11, 1942	78th	9
Federal corrections act (S 895)	Dec 2, 1943	78th	9
Liquor industry (S Res 206) Pt. 2	Jan 13,19,20, 1944	78th	9
Juvenile delinquency - interstate (S 1578)	Feb 25, 26, 1944	78th	9
Cartels (S 1476)	May 23, 1944	78th	9
Multiple taxation on federal employees (H R 3592)	May 24 & June 1, 1944	78th	9
Alien census count (S J Res 85)	Sep 25, 1945	79th	11
Equal rights amendment (S J Res 61)	Sep 28, 1945	79th	11
Extension of Second War Powers Act, 1942, as amended (re: transportation, rationing, priorities, coinage, etc.) (H R 4780)	Dec 10, 1945	79th	11
Amending the constitution with respect to election of President and Vice President (S J Res 200)	Apr 26, 1948	80th	17
Pricing practices-moratorium (delivered pricing and freight absorption) (S 1008)	Mar 30,31 & Apr 1, 1949	81st	17
To amend the antitrust laws (S 1910)	June 21, 1949	81st	17
To amend the Philippine Rehabilitation Act of 1946 (S 1033)	June 30, 1949	81st	17
Claims resulting from cloud modification (S 1796)	July 7, 1949	81st	17
Claims for basic and overtime compensation (S 1981)	Aug 4, 1949	81st	17
Correctional system for youth offenders (S 1114 & S 2609)	Oct 5-7, 1949	81st	17
Perjury (contradictory statements under oath) (S 933)	Mar 10, 1950	81st	17
To protect trade and commerce against unreasonable restraints by labor organizations (S 2912)	Feb 16,17,21-23,28; Mar 1-3, 1950	81st	17

TITLE	DATE	CONGRESS	VOLUME
Corporate mergers and acquisitions (H R 2734)	Sep 19,21,23,26,28, Sep 30, 1949; Feb 13, 1950	81st	17
Adjudication of water rights	Apr 25; Aug 3,8, 1951	82d	21
Farmer-Debtor relief (bankruptcy) (S 25)	June 19; July 17, 1951 Feb 7, 1952	82d	21 & 22
Treaties and executive agreements (S J Res 130)	May 21,22,27,28 June 9, 1952	82d	21 & 22
Adjudication of water rights (S 18)	Apr 25; Aug 3,8, 1951	82d	22
Finality clauses in government contracts (S 2487)	Feb 15,20; Mar 21, 1952	82d	22
Federal construction contract act (S 2907)	Apr 29, May 20,21 June 3, 1952	82d	22
Amendments to the Trading With the Enemy Act (S 34 and 10 bills)	July 20-22, 1953	83d	28
Salaries of Justices and Judges of U.S. Courts and Members of Congress (S 165, S 462, S 540)	Jan 25, 28, 1955	84th	48
Invitation to the Chief Justice of the U.S. to address the Congress (S Con Res 4 & 5)	Feb 4, 1955	84th	48
Federal construction contract act (S 1644)	May 12, 18, 1955	84th	48
Texas City disaster (S 1077)	May 17; June 7, 1955	84th	48
Federal-State concurrent jurisdiction (S 373 & S 3143)	May 18, 1956	84th	48
International rules of judicial procedure (H R 4642)	July 15, 1958	85th	69
Bankruptcy (H R 13, 106, 982)	May 21,22; June 18, 1958	85th	70
To prohibit communications on matters pending for adjudication (S 2461)	Mar 5, 1958	85th	70
Great Lakes basin compact (S 1416)	Mar 26,27, 1958	85th	70
District of Columbia, Maryland and Virginia mass transit compact (H J Res 402)	June 24, 25, 1960	86th	80
Northeastern water and related land resources compact (H R 30)	Sep 18, 1962	87th	119
Delaware River Toll Bridge Compact (S 2346 & H R 6199)	Aug 11, 12, 1964	88th	119
Law Enforcement Assistance Act of 1965 (S 1792 & S 1825)	July 22, 23, 30, 1965	89th	135
Prisoner work release (S 1808)	July 29, 1965	89th	135

TITLE	DATE	CONGRESS	VOLUME NO.
Bankruptcy legislation 1967 (S 578, S 1316, H R 2517 H R 2518 and H R 2519)	Apr 3, 1967	90th	135
Commission to study bankruptcy laws, 1968 (S J Res 100)	July 16, 17, 1968	90th	135
Equal rights (committee print)	Aug 15, 1941	77th	8
Second war powers act. Statements in executive session on S 2208, a bill to further expedite the prosecution of the war (committee print)	Jan 19, 1942	77th	8
Third war powers act. Statements in executive session on S 2856, a bill to provide for the punishment of certain hostile acts against the U.S., and for other purposes (committee print)	Nov 9, 1942	77th	8
Investigation of the alcoholic-beverage industry. Partial report no. 1 (the liquor shortage and the black market)	Committee Print	78th	9
Constitutional or statutory authority of certain executive orders (report on executive order 9439 Montgomery Ward & Co., Inc.)	Committee Print	78th	9
Thirty-Hour work week (minority report to accompany S. 87)	Sen. Rept. 367 Pt. 2 March 29, 1935	74th	4
Federal Administrative Practice Reorganization Act (S 932). A summary and compilation of departmental and agency reports	Committee Print	85th	69
Notes to the Rules of Civil Procedure for the District Courts of the United States	House Doc 588 February 1938	75th	6
Investigation of bankruptcy and receivership proceedings in United States Courts (S Res 78)			
Pt. 5	June 9, 1934	73d	3
Pt. 6	June 25-26, 1934	73d	3

TITLE	DATE	CONGRESS	VOLUME NO.
Heirless property (S 2420)	Apr 14, 1954	83d	28
Return of confiscated property (S 3423)	July 1-2, 1954	83d	28
Administration of the trading with the enemy act (S Res 245)			
Pt. 1	Feb 20, 26-27, 1953 Mar 5, 11-12, 19-20; Apr 1, 1953	83d	28
Pt. 2	Nov 16-17, 1953	83d	28
Report of the trading with the enemy act	Committee Print	83d	28
Debt claims and World War I assets (S 1147 and S 2226)	Sep 29, 1955	84th	48
Return of confiscated property (S 854 and 6 other bills)	Nov 29-30, 1955 Apr 20, 1956	84th	48
Return of confiscated property (S 411, 600, 727, 1302)	Apr 4-6, 1957	85th	69
Trading with the enemy (S 105 and 10 other bills)	June 18 July 9, 1959	86th	80