

Memo of the Month

The following doomsday guide, distributed last year, is still in effect at the NLRB:

NATIONAL LABOR RELATIONS BOARD Washington, D. C.

ADMINISTRATIVE BULLETIN

TO: All Employees

SUBJECT: Post-Attack Registration of Federal Employees

Civil Service Commission instructions require that government agencies remind all employees annually of their responsibilities under the Commission-operated registration system.

In the event of an attack all National Labor Relations Board employees should follow the procedure outlined below:

If you are prevented from going to your regular place of work because of an enemy attack or, if you are prevented from reporting to an emergency location — Go to the nearest Post Office, ask the Postmaster for a Federal Employee Emergency Registration Card, fill it out and return it to him.

He will see that it is forwarded to the office of Civil Service Commission which will maintain a registration file for your area. When your card is received the Civil Service Commission will notify us and we can then decide where and when you should report back for work.

Another important reason for mailing in your Registration Card as soon as possible is that it will enable us to keep you on the roster of active employees and enable us to forward your pay.

Even though you complete your Registration Card promptly, it may be a while before you are put back to work. In the meantime, you would be expected to volunteer your services to the civil defense authorities.

Approved for issuance:
C.S.W.

Locking The Barn Door: Secretary Shultz and the Miners

by Robert Walters

Two weeks after United Mine Workers of America insurgent Joseph A. (Jock) Yablonski, his wife and his daughter were found murdered in their home in Clarks-ville, Pennsylvania, Labor Department Solicitor Laurence Silberman offered a major concession to Yablonski's supporters. He suggested that "maybe—just maybe—it's pretty difficult to expect an international union to properly investigate itself."

For almost six months prior to the deaths of the three members of the Yablonski family, the Labor Department had insisted otherwise, on the grounds that its interpretation of existing federal statutes governing labor-union elections precluded any federal intervention in the bitterly contested UMWA election until the union had a chance to "clean itself up."

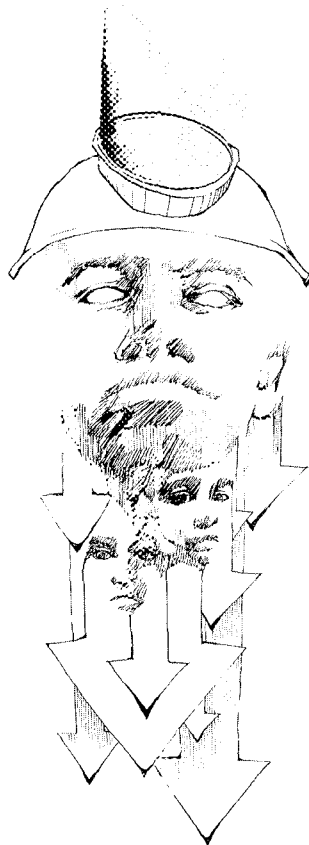
Officials of the Labor Department, as well as policymakers in other federal agencies whose intervention had been sought by Yablonski and his backers, repeatedly cited two factors upon which bureaucrats regularly rely to explain their non-enforcement of the law—"legislative intent" and "long-established policy."

"Legislative intent"—what Congress really meant when it approved the law, as opposed to what the law actually says—is presumably divined by lawyers in various executive branch agencies who pore over committee reports, records of floor debates, and sundry other documents in an effort to find the hidden meaning of the statute in question. "Long-established policy" is more easily explainable. It means simply: "We haven't done it that way be-

fore and we're not about to change."

To the extent that the executive branch of government refused to interest itself in the UMWA election to any substantial degree prior to Yablonski's death—and indeed has been less than enthusiastic about the matter in the weeks since the slaying—the case is almost a classic example of what happens to legislation after it is approved by Congress and signed by the President.

After all the attention-grabbing committee hearings, the dramatic votes on the floor of the House and the Senate, and the solemn White House bill-signing ceremonies, legislation is consigned to an obscure corner of the federal bureaucracy where enforcement inevitably depends on:



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