

pend for their lives on advertising dollars, the largest advertisers would be in position to strike some hard bargains.

Twenty years ago the large advertisers tried to break up the recognition system and the 15 per cent commission. They complained through the Association of National Advertisers of "dissatisfaction" with a system that prevented advertisers

from dealing directly with media and that took 15 cents from every advertising dollar for agency commission. The A. N. A. condemned this as arbitrary and wasteful, and was backed by Alfred P. Sloan, Jr., then president of General Motors, who labeled the system "unsound, uneconomic, and unfair." Prophetically, the A. N. A. warned agencies that "under a method of compensa-

tion that does not allow the advertiser to use it efficiently or satisfactorily, then little by little it is inevitable that advertisers assume the functions that the agency is prepared to perform, and the agencies will gradually lose more and more ground." Aided by the Justice Department, national advertisers may finally win the battle of the 15 per cent that they lost twenty years ago.

HELL'S CANYON

Where Are the Democrats? . . . *by Edgar Kemler*

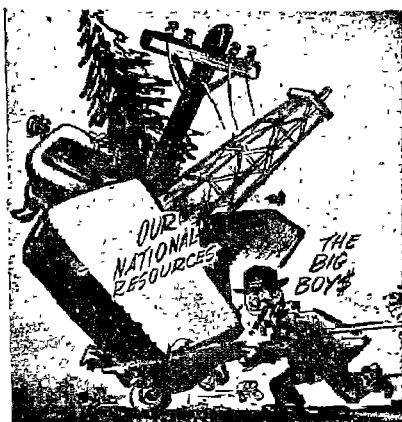
Washington

ALTHOUGH their own Roosevelt Administration pioneered it, the latter-day Democrats have no comprehension of the power potential of the Columbia River Basin. Otherwise, they would not have let their Hell's Canyon project gather dust for five years. This is a project that would develop the finest but most remote dam site in the United States (it's in a mile-deep gorge of the Snake River which marks the Idaho-Oregon border). It would add 1,120,000 kilowatts of cheap power to the already power-short Columbia River system. Meanwhile, the Republicans have been sponsoring the absentee-owned Idaho Power Company, whose application for a more modest (212,000 to 505,000 kilowatt) power dam in the same area is now pending before the Federal Power Commission. Already, the commission examiner, William J. Costello, has given the nod to the private dam, not because he thought it was better its power would be almost thrice as costly—but because the likelihood of Democratic action on the public dam was "too remote." Democrats may resent the examiner's prognosis but unless they prove it false by passing the current Hell's Canyon bill either in the Senate or in the House, the Republican-dominated F. P. C. may never give them another chance.

For power-rich Easterners, the importance of Hell's Canyon in the Pacific Northwest is very difficult to grasp. Thanks to Bonneville, Grand Coulee, and other installations, which tap only one-sixth of the region's potential, the downstream states, of Washington and Oregon have prospered as never before, with a combined population increase of 1,000,000 and the advent of a \$400,000,000 aluminum industry within the last decade. But the more these states prosper, the more power they need, and at the present rate their power needs will double in the next decade. By contrast, in upstream Idaho, where the Idaho Power Company rules virtually without federal competition, population and industry are both stagnant. Potentially one of the richest of the eleven Western states, possessing 60 per cent of our fertilizer-producing phosphates, Idaho is now one of the

poorest. Only barren New Mexico ranks lower. However, to convert its phosphate rock into fertilizer, 400,000 kilowatts of cheap (3-mill) power is required as compared with the expensive (6 1/2-mill) power provided by the company. Also cheap power is needed to irrigate the state's sagebrush desert, which now constitutes about half its acreage.

WHILE both downstream and upstream needs are built into the Hell's Canyon public-dam proposal, the Idaho Power Company's dam would merely "skim the cream." It would not merely be inadequate, but wasteful as well. Furthermore, by its record of hostility to the Rural Electrification Administration—in 1950 it wiped out the Malheur, Oregon, electric cooperative, after a ten-year battle—it should not be admitted to the federal power system. However, through a friendly press and friendly governors, the potent company has so far more or less concealed its shortcomings. Idaho farmers have been persuaded that the public dam would cut off their irrigation water for the benefit of Oregon, while Oregon farmers have been told that it would divert their power water to California. As to the first point, which is the only one even remotely plausible, the F. P. C. has now established that there is enough water for everybody, while further safeguards have been written into the Hell's Canyon bill. At any rate, the persistence of these myths helped



Party Miller in
York Gazette and Daily
They never had it so good!

EDGAR KEMLER writes frequently for *The Nation* on the Washington scene.

reelect the Idaho Power Company's chief spokesman, Republican Senator Dworshak, last fall, as it helped to reduce the margin for Democratic Senator Richard Neuberger in Oregon.

After Neuberger's election, Wayne Morse, his one-time mentor, began his present campaign to pry the public-dam project out of its F. P. C. deathbed. When the bill, S. 1333, was introduced by Morse and his twenty-nine Democratic cosponsors, the Interior Department refused to comment on it, because, they said, the Hell's Canyon problem was already being considered by the quasi-judicial commission. By implication, Morse himself was accused of a gross impropriety, nor has he altogether refuted it. However, when Morse's colleagues—including Murray of Montana, Anderson of New Mexico,

Jackson of Washington—held subcommittee hearings at the grass roots, so much heat was generated both pro and con that Secretary of Interior McKay was forced to abandon his phony neutrality for all-out hostility. Foreshadowing the latest Hoover Commission report, which urges the immediate stoppage of all further public power, McKay said that the government had already become committed to \$1,500,000,000 worth of new dams in the Columbia River basin, and that the additional \$500,000,000 required for Hell's Canyon would be excessive. Also, he went on, the Idaho Power Company could do a "reasonably comparable" job using private rather than public capital.

IF THE battle moves onto the Senate floor, the final attack on the

shaky Republican position will depend more on Acting Majority Leader Clements than on the rebel Morse, who set it up for him. Morse's friends now claim forty-four votes for the public dam, including those of three Republicans—Langer and Young of North Dakota and Thye of Minnesota. The decisive five votes, if they come at all, must come from tidelands-oil Democrats, like Long of Louisiana, who is currently blocking the bill in committee. To break the deadlock, Senator Clements must make Hell's Canyon a party issue, which he has so far failed to do. Yet it is hard to imagine an issue more worthy of such a tactic. The Eisenhower Administration has borrowed or stolen so many issues from the Democrat's New Deal heritage that this seems to be the only one left.

THE RIGHT TO TRAVEL

A Significant Victory . . . by *Leonard B. Boudin*

THE State Department's Passport Office was well described in 1949 by the Hoover Commission as "a law unto itself." Since 1947 its director, Mrs. Ruth B. Shipley, recently retired, consistently denied American citizens the right to travel because of political views and associations imputed to them. This was without hearing, evidence, specific reasons, or appeal. Now, in the single month of June, 1955, the subversion of a decade has been undone, and the operation of the department has become subject to the rule of law. This is the meaning of the recent court decisions in the Nathan, Foreman, and Schachtman cases, which declared that travel is a constitutional right and that American citizens are entitled to a quasi-judicial hearing before a passport can be denied them.

In order to appreciate the battle that has been won, we must turn

back the pages of history. During most of our life as a nation, Americans could travel without hindrance. As the State Department said in 1925: "In time of peace a law-abiding American citizen has always been free to leave the country without the permission of the government." The purpose of the passport was not to license travel or to guarantee protection but to identify the traveler as an American entitled to his rights as a citizen.

However, the large number of federal, state, and municipal authorities who engaged in the issuance of passports led to gross abuses. The result was an 1856 law "that the Secretary of State shall be authorized to grant and issue passports . . . and no other person shall grant, issue or verify any such passport."

Congress originally imposed only one condition upon the right to a passport, that it be issued to a citizen or one otherwise subject to U. S. jurisdiction. Hence, passports were invariably given to citizens as a matter of right. Today, however, an American citizen cannot leave the

hemisphere without a passport for two reasons: (1) it is a criminal offense to do so while the Presidential proclamation of emergency is in effect; (2) many countries will not permit a foreigner to enter without a passport.

From 1789 to 1947, there were no departmental restrictions upon the right to peacetime travel. However, beginning with the cold war, the Passport Office began to deny passports for political reasons. While the department has refused to disclose the number of persons involved, it was certainly in the hundreds. In each of these cases, Mrs. Shipley merely announced that the issuance of a passport would not be in the best interests of the United States. A denial on that basis was without any authority in law, since there existed no statute, executive order, or even regulation authorizing the department to control travel upon political or other grounds.

During this period two lawsuits were instituted against the department. The first, *Robeson v. Acheson*, was dismissed by the District Court

LEONARD B. BOUDIN, a New York attorney who specializes in Constitutional law, is the general counsel for the Emergency Civil Liberties Union.

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