

So, to try to avoid conflict a great number of devices have been arrived at, and I will briefly go over the more popular of them and try to point out what in my opinion is good and bad. Now, one of them is factfinding. Factfinding can be of two sorts; one under the Labor-Management Act or a statutory factfinding body. And this factfinding body by law is limited to advise the President of the United States whether there is or is not a conflict that affects the national health and welfare. And if I read the Supreme Court's decision correctly in the case of the steelworkers against the coordinating steel companies in 1959, what in effect the court said was that when the President of the United States says there is a strike that affects the national health and welfare, there is. And I am not at all sure but what that is a very wise decision.

Many people point out that there has really not been any strike at which there has been an injunction issued under the Taft-Hartley Law where, in fact, there was any great effect on the national health and welfare. I recall back in 1952 when we had our waltz with President Truman that he made a speech when he seized the mills, saying that one hour's loss of production would affect the war in Korea. Of course, later we had a 6-week strike and so far as I know there was not any failure of supply at any time in that war. But, these things happen.

The other type of factfinding is where the President generally will appoint a board to find facts--this is the name--and, of course, the thing that they do is find everything but facts. Usually these are artful people who have been in this type of situation before. What they basically do is listen to both sides, and having listened they make a proposal for a settlement. And if it is to be successful--and it often is--they make a settlement that is too good for the union to reject and not expensive enough for the companies to reject; they walk right down that razor's edge. And this is a compromise that both can accept.

It also has failed where they have not been artful enough to find this razor's edge.

A second method that is advocated a great deal and used a great deal is arbitration. Now, arbitration can be of several types. One is arbitration as to the meaning and application of a contract, where there is ambiguity in the meaning or ambiguity in the words; people are not sure what they meant. And I can assure you that sometimes