

whatever is put into effect by the Board, whatever findings, conclusions, they come to, if no action were further taken, and 90 days went by, that must be accepted; is that correct?

Secretary WIRTZ. That is not the heart of it. That is one element, the interim nature of the determination, but it is much more basic than that. The difference between a law like the Australian law or a law like the War Labor Disputes Act, which provided for a third party settlement, unguided, of all kinds of disputes, all of which does seem to me properly called compulsory arbitration, and then, on the other hand, in a case like this, which has only a single relationship and that is that there is an element of final determination in it. But the characteristics of it beyond that, in this case, are that it draws completely upon the collective bargaining which the parties have almost finished, and by law is tied to that.

Mr. SPRINGER. Mr. Secretary, I don't want to be technical but it is my understanding that this is not a full and final determining because no contract has been entered into between the respective parties.

Secretary WIRTZ. That is true.

Mr. SPRINGER. But you are not relying upon that as a basis of not being—

Secretary WIRTZ. I relied upon that as the third point in my statement, and it is a perfectly valid and sound point of principle. But I don't mean to mislead either myself or anybody else, because I realize the possibility is there of that determination so nearly coinciding with the view of one party or the other that they would hold to it rather than doing anything else.

So as a practical matter there is that point. But I am really leaning over backward. The point of principle is exceedingly important. It would have, technically, the effect of only an interim determination and would continue to be subject to the parties' agreement.

Mr. SPRINGER. I take it, Mr. Secretary, that in coming here to testify, or at least this is what I gather from the White House, not from what anybody said but as a general tenor, what you were concerned with was really the public at large and not either one of the parties. Is that your thinking?

Secretary WIRTZ. Yes. I would add only a refinement of that.

Mr. SPRINGER. I believe the President dealt on that at quite some length.

Secretary WIRTZ. That is right. We would both agree that the public's interest does include maximizing the parties' opportunity to make their own agreement. But at this point I think it is necessary to assert a public interest which rises above or which includes the possibility of settlement if they disagree.

Mr. SPRINGER. There is one thing further. Under this any right to strike would be removed for whatever period the Board designates?

Secretary WIRTZ. The right to strike over these issues would be removed for either the period of the parties' agreement, which is the law under the Railway Labor Act, or for such period as this Board would set in its determination, whichever came first.

Mr. SPRINGER. Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Jarman.

Mr. JARMAN. Mr. Secretary, the particular question that is in my mind and the concern that I have in this matter is brought out in