

Mr. KUYKENDALL. Am I to understand, sir, that you think than an arbitration board of this type should not arrive at a compromise which would take one or the other of the positions?

Mr. LEIGHTY. No. But I do think this: I personally know that on a three-man board, two of the representatives wanted to recommend one thing and the other one would not go along with that. So to have a unanimous opinion they came up with a compromise. The majority didn't say it was right, but they went along with it.

We did expect a minority opinion on one or two Emergency Boards that were created.

Has there been a minority opinion on any Emergency Board that you know of?

I think there was one once, but I think that is all.

Mr. HARVEY. Could I get to another subject in the mintue I have remaining?

In your telegram to the Defense Department you referred specifically to our Nation's military effort and public health. I wonder about an industry in my district, for example, which depends on either weekly or biweekly shipments of a raw material by rail, or component parts by rail to that particular plant, which employs upward of 2,000 people.

Would that be something that would be expected to continue even if it does not pertain to the national defense or does not pertain to public health, or would the 2,000 employees of that plant be laid off?

Mr. LEIGHTY. Yes; they would. That would not be essential to either the Vietnam effort or to public health.

Mr. HARVEY. So they would be laid off, would they, if a strike were called?

Mr. LEIGHTY. That is correct.

Mr. HARVEY. I would just say to you something along the line of what Mr. Devine said earlier. That is, that I don't think any member of this committee likes the situation in which we find ourselves here.

Very frankly, I wish somehow the process of collective bargaining would be able to continue. We think it could be settled better in that fashion, too. I would say as one member, having been called down to the White House once, and having met with the President, the Secretary of Defense, and so on, sitting there listening to them recite what would happen in the event there was a strike, it is pretty difficult to second judge the Secretary of Defense on a circumstance such as this.

I would certainly urge upon you everything you can possibly do to settle this strike before we have to rule upon it ourselves. If we reach that circumstance, I don't think anybody will like it.

I agree with Mr. Devine wholeheartedly in that regard.

Mr. LEIGHTY. I want to assure you that I will do everything I can to assist in making a settlement of this dispute so it does not come to the strike situation. If that does become imminent, I would like to point out to you again that in our opinion seizure is the answer because you will have no strike in the event of seizure.

Mr. HARVEY. It is pretty obvious that a strike is intolerable when you say since 1922 only one has been permitted to continue. That is