

The CHAIRMAN. I don't think that is what this colloquy points out. It points out these were definite and final, and that this was the intent of this committee and the Congress.

Mr. SCHOENE. That is right.

The CHAIRMAN. That was on the floor before the vote was taken, just before it was taken, as I recall.

I don't see how we could make clearer to the courts of this country that this was the intent of the Congress.

You mentioned the fact about the Fahy proposals, that you did not think that the recommendations of Emergency Board 169 should be put into effect if we pass a law here.

Mr. SCHOENE. That is my feeling; yes.

The CHAIRMAN. But you do feel that if we are going to pass any resolution, it ought to affect both sides to some degree.

Mr. SCHOENE. Yes; I think it should. It should be evenhanded.

The CHAIRMAN. That is what I mean. It should not be punitive in any way, to penalize either one, but to say, "Let's get together."

Mr. SCHOENE. That is right.

I think seizure on the one hand with the provision that until the parties to this dispute agree, the personnel will work at present rates of pay until they arrive at an agreement disposing of the dispute, I think that is fair to both sides.

The CHAIRMAN. I would like to clarify just one more point: Compulsory arbitration and voluntary arbitration. Frequently when two parties do not agree or cannot reach an agreement on an issue, they say, "We will leave it up to a third party," and they pick the party and both agree. That is voluntary arbitration.

Mr. SCHOENE. That is right.

The CHAIRMAN. But when you have an outside force that says "If you don't reach agreement, we will appoint somebody to make the agreement for you," that is compulsory.

Mr. SCHOENE. That is correct.

The CHAIRMAN. Even beyond their wishes, saying, "We will impose something on you as freemen that maybe you won't like, one of you, or either one of you." That is compulsory.

Mr. SCHOENE. That is my understanding.

The CHAIRMAN. There has been some misunderstanding about compulsory and voluntary arbitration. That is why I wanted to clarify it for the record. There is a difference when men voluntarily agree to get outside parties to come in and it makes a finding, if they agree to arbitration it is usually a binding finding.

Mr. SCHOENE. That is correct. I have participated in many such arbitrations. I think voluntary arbitration is a very useful instrumentality in labor relations. But compulsory arbitration is just as bad as voluntary arbitration is good.

The CHAIRMAN. Mr. Friedel.

Mr. FRIEDEL. Mr. Schoene, it was stated that you both disagreed with the last Fahy report. Management said they agreed in part, and I understand the unions disagreed with the report. Let's see how far we are apart on the Fahy report.

I think the last counterproposal made by the unions was 61½ percent and 121½ cents for the first year and 121½ cents for the second year.

Is that correct?