

employees are not represented by a labor organization.

(3) No grant may be made under the provisions of this section to any labor management committee which the Service finds to have as one of its purposes the discouragement of the exercise of rights contained in section 157 of this title, or the interference with collective bargaining in any plant, or industry.

**(c) Establishment of office**

The Service shall carry out the provisions of this section through an office established for that purpose.

**(d) Authorization of appropriations**

There are authorized to be appropriated to carry out the provisions of this section \$10,000,000 for the fiscal year 1979, and such sums as may be necessary thereafter.

(June 23, 1947, ch. 120, title II, § 205A, as added Pub. L. 95-524, § 6(c)(2), Oct. 27, 1978, 92 Stat. 2020.)

**SHORT TITLE**

For short title of section 6 of Pub. L. 95-524 as the Labor Management Cooperation Act of 1978, see Short Title of 1978 Amendment note set out under section 141 of this title.

**CONGRESSIONAL STATEMENT OF PURPOSE**

Pub. L. 95-524, § 6(b), Oct. 27, 1978, 92 Stat. 2020, provided that: "It is the purpose of this section [enacting this section and amending sections 173 and 186 of this title]—

"(1) to improve communication between representatives of labor and management;

"(2) to provide workers and employers with opportunities to study and explore new and innovative joint approaches to achieving organizational effectiveness;

"(3) to assist workers and employers in solving problems of mutual concern not susceptible to resolution within the collective bargaining process;

"(4) to study and explore ways of eliminating potential problems which reduce the competitiveness and inhibit the economic development of the plant, area or industry;

"(5) to enhance the involvement of workers in making decisions that affect their working lives;

"(6) to expand and improve working relationships between workers and managers; and

"(7) to encourage free collective bargaining by establishing continuing mechanisms for communication between employers and their employees through Federal assistance to the formation and operation of labor management committees."

**APPLICABILITY TO COLLECTIVE BARGAINING AGREEMENTS**

Pub. L. 95-524, § 6(e), Oct. 27, 1978, 92 Stat. 2021, provided that: "Nothing in this section or the amendments made by this section [enacting this section, amending sections 173 and 186 of this title, and enacting provisions set out as notes under this section] shall affect the terms and conditions of any collective bargaining agreement whether in effect prior to or entered into after the date of enactment of this section [Oct. 27, 1978]."

**§ 176. National emergencies; appointment of board of inquiry by President; report; contents; filing with Service**

Whenever in the opinion of the President of the United States, a threatened or actual strike

or lockout affecting an entire industry or a substantial part thereof engaged in trade, commerce, transportation, transmission, or communication among the several States or with foreign nations, or engaged in the production of goods for commerce, will, if permitted to occur or to continue, imperil the national health or safety, he may appoint a board of inquiry to inquire into the issues involved in the dispute and to make a written report to him within such time as he shall prescribe. Such report shall include a statement of the facts with respect to the dispute, including each party's statement of its position but shall not contain any recommendations. The President shall file a copy of such report with the Service and shall make its contents available to the public.

(June 23, 1947, ch. 120, title II, § 206, 61 Stat. 155.)

**EXECUTIVE ORDER NO. 11621**

Ex. Ord. No. 11621, Oct. 4, 1971, 36 F.R. 19435, as amended by Ex. Ord. No. 11622, Oct. 5, 1971, 36 F.R. 19491, which created a Board of Inquiry to inquire into issues involved in certain labor disputes, was revoked by Ex. Ord. No. 12553, Feb. 25, 1986, 51 F.R. 7237.

**§ 177. Board of inquiry**

**(a) Composition**

A board of inquiry shall be composed of a chairman and such other members as the President shall determine, and shall have power to sit and act in any place within the United States and to conduct such hearings either in public or in private, as it may deem necessary or proper, to ascertain the facts with respect to the causes and circumstances of the dispute.

**(b) Compensation**

Members of a board of inquiry shall receive compensation at the rate of \$50 for each day actually spent by them in the work of the board, together with necessary travel and subsistence expenses.

**(c) Powers of discovery**

For the purpose of any hearing or inquiry conducted by any board appointed under this title, the provisions of sections 49 and 50 of title 15 (relating to the attendance of witnesses and the production of books, papers, and documents) are made applicable to the powers and duties of such board.

(June 23, 1947, ch. 120, title II, § 207, 61 Stat. 155.)

**§ 178. Injunctions during national emergency**

**(a) Petition to district court by Attorney General on direction of President**

Upon receiving a report from a board of inquiry the President may direct the Attorney General to petition any district court of the United States having jurisdiction of the parties to enjoin such strike or lock-out or the continuing thereof, and if the court finds that such threatened or actual strike or lock-out—

(i) affects an entire industry or a substantial part thereof engaged in trade, commerce, transportation, transmission, or communication among the several States or with foreign nations, or engaged in the production of goods for commerce; and