

M E D I A T I O N A N D C O N C I L I A T I O N

Some study has been given to the possibility of making mediation and conciliation in disputes connected with the equal protection of the laws one of the functions of the Commission. This study has led to a few tentative conclusions:

- Some types of disputes -- for instance, those arising out of school desegregation programs, and pertaining to the method as distinguished from the desirability of implementing constitutional rights -- seem appropriate for efforts at mediation and conciliation.
- There is doubt that the Civil Rights Act of 1957 authorizes the Commission to utilize such efforts.
- If legislation extending the life of the Commission is enacted, that would be an appropriate occasion for expressly conferring such authority upon the agency.
- If the Federal Government undertakes methods of mediation and conciliation in racial disputes it would be reasonable to assign that function to the Commission on Civil Rights rather than to create an entirely new agency.
- If the Commission is to undertake direct mediation and conciliation, specific authorization should be provided by appropriate legislation.

