

Agreement was not reached, however, with the shopcraft unions. This case went through the same collective bargaining and mediation processes the other cases had, and then to an Emergency Board set up under the Railway Labor Act. When, agreement still failing, the statutory status quo period was about to expire, the Congress extended that period for 20 days.

The President then set up a Special Mediation Panel of distinguished citizens to work with the parties. After a series of bargaining and mediation sessions failed to produce full agreement, the Special Panel made a proposal for settlement drawn from the Panel's assessment of the direction of the bargaining which had taken place and of the course it could be expected to follow given the time which circumstances were denying it. Both parties declined to accept the Mediation Panel's proposal.

On May 1, acting on the President's recommendation, the Congress again extended the statutory status quo period, this time to June 19, 1967.

On May 4, the President transmitted to the Congress the proposal embodied in H.J. Res. 559. I refer again to the Message accompanying this transmittal.

II

Second, in summary of the provisions of H.J. Res. 559:

The Resolution provides for the President's appointment of a 5-member Special Board to "attempt by mediation to bring about a resolution of this dispute and thereby to complete the collective bargaining process."

If there is no agreement after the first 30 days of mediation, the Special Board will set a hearing designed specifically to bring these months of bargaining and mediation to a head.

* The central discussion point at this hearing will be the proposal made to the parties by the Special Mediation Panel on April 21.

* The parties will be asked to express their views as to whether a settlement based on that Panel proposal would "(1) be in the public interest, (2) achieve a fair and equitable extension of the collective bargaining in this case, (3) protect the collective bargaining process, and (4) fulfill the purposes of the Railway Labor Act."

The Special Board's mediation efforts will continue after this hearing is held, and will take account of the parties' representations at the hearing.

If, after another 30 days, there is still no agreement, the Board will issue its "determination" regarding any remaining points of disagreement. This "determination" will be based on the Mediation Panel's proposal, with such modifications as the Board finds appropriate in the light of the hearing and in observance of the four criteria set out in H.J. Res. 559.

Even after that, the Board will continue its efforts at mediation.

If these efforts continue to be unavailing, the Board's determination will go into effect at the end of 90 days. The Board will include a time period—not to exceed two years from January 1, 1967—during which its determination will remain effective.

But the terms of the Board determination, including the time period, will be subject to any subsequent agreement reached by the parties.

During the period of the Board's handling of this matter, and during the period after that specified in the Board's determination or by the parties' agreement, there may be no strike or lockout.

III

Finally, a few general comments about this situation and about H.J. Res. 559. Everybody—including the parties—recognizes that there can't be a nation-wide railroad shutdown, at least under today's circumstances. It would cripple the country before either party even felt a scratch. The strike and the lockout don't play their normal function in collective bargaining under these circumstances; such action would not be against the other party but against the public.

The necessity of some alternative method of settlement is therefore accepted. The only issue is what it should be.

There is a clear consciousness, at the same time, that this is the third time in four years that an individual labor dispute has required the attention of the Congress.

Nor does the fact that these three cases are only that many out of almost 100,000 a year that are settled satisfactorily by collective bargaining lessen the