

should be no necessity of formal action in this case, and that we must exhaust every possibility of bargaining which there is.

So this recommendation in House Joint Resolution 559 is built around the central proposition that there must be every opportunity given the free and full play of collective bargaining.

This resolution would set up a five-man board. That Board would meet with the parties, attempt to settle this matter by mediation, and it would, in the first 30 days, if not successful, as far as mediation is concerned, hold at that point a hearing.

The central point of that hearing would be that panel recommendation which was made by Judge Fahy's panel. The parties would express their views with respect to the recommendations of that panel.

After that hearing, the mediation would proceed, hopefully helped by the statements of the parties at that hearing.

If, at the end of 60 days from the start of the resolution, the resolution period, there was still no agreement, this Board set up by House Joint Resolution 559 would then issue its determinations, called "determinations" in the resolution. It is provided, and significantly, in House Joint Resolution 559, that those determinations must follow very closely the criteria established there.

They would take the panel proposal as their starting point. The Board would then determine what, if any, modifications needed to be made which, in the language of the resolution, first would be in the public interest; second, would achieve a fair and equitable extension of the collective bargaining in this case; third, would protect the collective bargaining process; fourth, would fulfill the purposes of the Railway Labor Act.

That determination being made on the 60th day, there would then be the continuing effort by this five-man Board to settle this case still by mediation and by agreement. If at the end of the 90th day there was still no agreement, the Board's determinations would go into effect for such period as the Board might fix, but not more than 2 years from January 1, 1967, or until the parties themselves made their own agreement.

During this period, the Board's handling of this matter, the status quo period under the Railway Labor Act would be extended so there would be no strike or lockout permitted during that period, and upon the issuance of the determination or upon the making of the parties' agreement there would be a continuation of that no-strike and no-lockout status by virtue of the provisions in the Railway Labor Act for the continuation of the status quo. In short, there would not be a strike or a lockout during the period covered either by the determination or the parties' agreement.

Now, these few comments about the matter: I thought, Mr. Chairman, until your statement, that it would be fair to say that everybody, including the parties, recognized that there cannot be a nationwide railroad shutdown, at least under today's circumstances. That would still be my personal view, but I would modify it out of respect to the possibility which you have suggested.

I would feel, for myself, that no combination of considerations would justify exposing this country at this point to a railroad shutdown. It would cripple the country before it even scratched either party.