

another emergency board, maybe, as we have today. What would be your comment on that?

Secretary BOYD. I think, as I attempted to outline to Mr. Macdonald, given all the good faith in the world, which I accept, on both sides of this issue, the mechanical problem of trying to define "essential" or "necessary," I believe, in the words of the telegram, commodities for movement, I think, is just going to be a mare's nest.

Mr. ROGERS. I would think it would be very difficult. As I understand it, the Chairman of the Council of Economic Advisers has advised the President that it would be very serious, that it would have a disastrous effect upon the economy of the country at this time. The Defense Department said it would vitally affect our effort in Vietnam.

Secretary BOYD. That is correct.

Mr. ROGERS. I don't know how much more documentation we need than the facts presented so far. I would be concerned that we don't get off track and forget the public interest and the interest of the Nation as we consider this problem.

Thank you.

Mr. MACDONALD. Mr. Broyhill?

Mr. BROYHILL. Mr. Secretary, did your Department research and determine that the President has no legal authority to seize the railroads or to prevent a strike of this kind?

Secretary BOYD. Our Department has done no research in this area. I have been advised by the Attorney General that the President has no further authority in this matter.

Mr. BROYHILL. The authority that the President used in the 1950 strike is no longer applicable? Have you gone into that?

Secretary BOYD. No; I have not gone into it. I have not gone beyond the statement of the Attorney General, as a matter of fact.

Mr. BROYHILL. Thank you.

That is all.

Mr. MACDONALD. Mr. Kornegay.

Mr. KORNEGAY. Thank you, Mr. Chairman.

Mr. Secretary, it is nice to see you here today.

Secretary BOYD. Thank you, sir.

Mr. KORNEGAY. This is a very difficult problem that we all have to struggle with.

A while ago, pursuant to the question put to you by Mr. Moss, you did not say that the Nation at any time in the future should tolerate a nationwide strike.

Secretary BOYD. Yes, sir.

Mr. KORNEGAY. I gather from your answer that you referred to the international and national conditions existing at the moment. What is the condition of today? Can we tolerate it at the moment or next week?

Secretary BOYD. No, sir, that is the burden of my testimony, that we cannot at this time tolerate a nationwide rail strike. I tried to make clear in my conversation with Congressman Moss that I do not believe a rail strike would lead to the destruction of the United States of America. I don't mean, when I say we cannot tolerate, it is a matter of survival or destruction as a nation. Obviously I don't think that would happen. What I do think is, my subjective judgment based on the information which I have presented in my testimony is, it is a