

Mr. MACDONALD. The gentleman is out of time.

Mr. Brown.

Mr. BROWN. Mr. Secretary, as I understand from the testimony yesterday of Mr. Wirtz, the Secretary of Labor, if we pass 559, by January 1, 1969, if the procedures outlined in the resolution all take effect and the 91st day comes, and there is whatever we might call it short of compulsory arbitration—but nevertheless it is temporary 2-year settlement of this dispute—what happens after January 1, 1969?

Secretary BOYD. First of all, as I understand it, the language of the resolution is up to 2-years, not to exceed 2-years. But whatever the date is, then the brotherhoods and the railroads would be in negotiation prior to that time, would have been in negotiation, for a new contract.

Mr. BROWN. Under the provisions of the Railway Labor Act?

Secretary BOYD. Yes, sir.

Mr. BROWN. And presumably, then, if they weren't able to settle, we would start over again on the same procedure?

Secretary BOYD. It is entirely possible.

Mr. BROWN. This resolution would become precedent to that sort of thing, would it not?

Secretary BOYD. I should think very probably it would. If anyone sought the same sort of solution again, they would obviously utilize this act as a precedent.

Mr. BROWN. So, in effect, we may have eliminated the possibility of any future nationwide rail strike by passing this resolution?

Secretary BOYD. I don't think that follows.

Mr. BROWN. Why not?

Secretary BOYD. Because the Congress would have to vote on that.

Mr. BROWN. Well, the Congress having voted on it once before, has a precedent for such a vote, is that correct?

Secretary BOYD. It might be of a different temper.

Mr. BROWN. In other words, are you suggesting that we might, 2 years hence, be ready to take a nationwide rail strike?

Secretary BOYD. All I am saying is that the temper of the Congress might be different at that time than it is today.

Mr. BROWN. Would you accept the fact that passage of this resolution does become a precedent for its passage in the future?

Secretary BOYD. If I were to advocate a solution of the same type in the future, I would certainly attempt to use this action as a precedent.

Mr. BROWN. So it does become a precedent.

Secretary BOYD. To an advocate, certainly it becomes a precedent. To the judge, I don't know whether it is a precedent or not.

Mr. BROWN. You indicated that you would be willing to take this as a precedent in arguing it.

Secretary BOYD. If I were seeking the same kind of solution. If I were seeking a different kind of solution, I would attempt to point out why it didn't meet the new requirements.

Mr. BROWN. I am contributing my time to the edification of the committee. The Secretary of Labor said yesterday that the President would not, after June 19, have any power to resolve this strike. He did not make clear whether the President had an opportunity to resolve this strike by some action of his own prior to that date. Un-