

Second, we understand the war in Japan is over by the treaty. The question becomes whether or not the war with Germany, which has never been terminated by treaty, is over.

Secretary BOYD. The Second World War is still going on.

Mr. ADAMS. Third, there was a declaration of the Korean emergency which has never been terminated. We would like to know what the powers are considered to be under that.

Fourth, there is the general constitutional power which was relied upon once by President Truman.

Now the reason this becomes important. There is another alternative. I disagree with my colleague from Texas. The other alternative is one we have talked about. It is compulsory negotiation. Compulsory negotiation is based on the fact that you make the choice unpalatable of what will happen to both parties and, therefore, they will arrive at a solution.

That is why I asked you the question before.

Have you any position with regard to whether or not this committee should recommend a statute that would, in effect, at the end of this period of required negotiations, say to the parties. "We will enjoin one side and seize the other and put into effect these work rules until you can agree"?

Secretary BOYD. No, sir; I have no position on that.

Mr. ADAMS. Does the gentleman from California want some time back?

Mr. VAN DEERLIN. No, Mr. Adams.

Mr. ADAMS. With regard to whether or not there is at the present time an emergency, it is your position, as I understand it, that the starting of a strike for any period of time would be an emergency?

Secretary BOYD. No, sir; that is not my position.

Mr. ADAMS. A strike beyond short duration?

Secretary BOYD. Any strike beyond short duration, I think—a nationwide rail strike—would constitute a national emergency.

Mr. ADAMS. Has there been any discussion in the administration as to if there should be a seizure or an impounding of profits during a period of time while the parties were both being held and in effect being required to negotiate. whether the Department of Transportation, the Department of Defense, or some other department would be the one that would be involved?

Secretary BOYD. No, sir.

Mr. ADAMS. Do you have a recommendation on this?

Secretary BOYD. No, sir.

Mr. ADAMS. The last question that I have is this: Are you aware of the fact that in the railroad industry at the present time compulsory arbitration covers all grievances and all matters up to what are considered major labor disputes?

Secretary BOYD. The National Railroad Adjustment Boards; yes, sir.

Mr. ADAMS. Are you aware of the fact that it is the announced position of the National Railway Labor Conference that compulsory arbitration or, in effect, the establishment of conditions, is to be desired in the railroad industry overall?

Secretary BOYD. No, sir.