

Mr. ADAMS. All right. What I am saying is remember that this is in the context of each time we make one of these decisions we are setting up the next one to come before us.

What I am attempting to find from you is your position and that of the administration, if Congress, in effect, says to the parties, "If you cannot complete your bargaining and get an agreement when you come up here, it is going to be unpalatable to you. So bargain."

That is as apposed to the proposition you have here of saying to both parties, in effect, "We will set up or we will establish", which is really what the Government does, "your agreement for you."

Secretary WIRTZ. I still have the same feeling that the public does not reach a fair answer by simply saying, "We are going to do whatever is necessary to make both parties unhappy, without regard to which of them is reasonable and which of them is unreasonable." I just don't follow that.

Mr. ADAMS. I will limit the context even more narrowly to an industry, the transportation industry, where you have the Government regulating, you have the establishment of rates basically in Government control, you have no competitiveness—and this was testified to by the Secretary of Transportation—no real competitive alternative.

So we are moving this out of the context that original collective bargaining was based upon, which was that the parties would both be injured and that there would be a movement to a competitor and, therefore, they had to settle. I am limiting it now to this type of situation.

Do you not believe that with the public interest, and that is all we are talking about, involved, that in this type of industry we should do and go farther than we might in a nonregulated, nonmonopoly industry?

Secretary WIRTZ. Yes; I think that is entirely conceivable.

Mr. ADAMS. Taking it in this narrow area, would your answer still be the same as what I proposed to you?

Secretary WIRTZ. Yes, it would, and it would be the same if the question were am I in favor of broad, compulsory arbitration. It would be exactly the same. The view of neither party should control.

Mr. ADAMS. Since you seem to feel that in this case there may be something in the merits that makes a difference in this, suppose the Congress were to pass ad hoc legislation in this case and tack to it, in effect, a permanent type of legislation saying, in effect, to the parties in the future, "If you come back, this is what is going to happen." What would be your position on that?

Secretary WIRTZ. Come back to Congress?

Mr. ADAMS. In other words, you go through the whole process under section 10 as we do now and you can't agree.

Secretary WIRTZ. I would say if there should be a development along the line of permanent legislation, I would think the idea embodied in this resolution of tying whatever final determination is made completely to the path or course of collective bargaining that has been followed would be an advantage.

I have also said that I think this resolution is tied so completely and tailor-made to this case that it could not be made a permanent matter.

But I do think that idea of a final keystone determination, drawn from the collective bargaining is worthy of consideration.