

Fireman and Enginemen last year on eight railroads. Three of those strikes were provoked by railroads resisting Emergency Board recommendations: The 1955 strike on the Louisville & Nashville, the 1962 strike on the Chicago & Northwestern, and the 1963 strike on the Florida East Coast, which still continues.

The Fireman and Enginemen's strike last year was provoked by the carriers' refusal to bargain. The two other strikes, on the Pennsylvania and the Long Island, both in 1960, were caused by other reasons.

I suggest to you that this 15-year record of the railway labor organizations is a record of extraordinary restraint. And this record has been written in an era of most exasperating delays and entanglements imposed by railroad managements. Now, after 15 years, you have one single dispute—the very first one initiated by railway labor—dumped like an unwanted baby in your laps by the administration. You will hear from Mr. Fox about how this dispute got here to you. You will hear the grim and painful story of what the railroad corporations are up to, on this matter.

Is Congress now, after the record we in railway labor have written for 15 years, going to fall for the railroads' game? Are you going to set a precedent that will destroy, in practical effect, our right of appeal from unfair and unjust Emergency Board recommendations?

Because that is the result that House Joint Resolution 559 or anything like it will have. Congress made one precedent for compulsory arbitration in 1963. If you make another one now, you will rob the national handling of railway labor disputes of most of the little flexibility that remains in it.

In future, the railroads will simply dig their heels in. Whatever "give" there is in these national disputes, whatever small amount of collective bargaining remains, depends wholly and solely on our legal right to strike. That is the only way we get to what I've called super-mediation. That is what the railroads want to destroy.

If Congress twice enacts compulsory arbitration, the next time an Emergency Board in a national dispute is unfair to the employees, or vague, or simply tells the parties to negotiate on certain general lines (as often happens), the railroads will try to force that dispute back up to Congress. And they will do it the next time after that. And however many times are needed to make you throw up your hands in despair and enact the law they really want—a law depriving their employees forever of any right to strike over any dispute whatever.

Gentlemen, I have held you a long time. I can only plead, in excuse, the immense importance of this matter to the nation's railroad workers. I do suggest, again, that the best way to proceed is to implement our proposal for moving essential shipments.

Since the railroads absolutely refuse to cooperate in this approach and if you then feel that some legislation is vital against the shopmen's strike, and evenhanded seizure bill would be, we think, the least destructive approach. We strongly urge that House Joint Resolution 559, and any bill like it, be laid aside.

Thank you very much for your courteous attention.

Mr. Chairman, I would like to say in addition that you have only to examine the record in this industry to find that the organizations have exercised restraint, and the record which I have given you with respect