

which would be unpalatable to them too, there would be real bargaining and a quick settlement.

Our final suggestion, if the Congress is not willing to seize the railroads, is that the Department of Transportation establish a system for handling essential shipments during any strike shutdowns. The railroad unions are ready to cooperate to the fullest. The railroads and Secretary Boyd say that it can't be done.

However, it does not appear to us that the Secretary has adequately explored or considered the proposition; and we find persuasive the detailed testimony of Messrs. Leighty and Fox that it would be feasible.

We agree that it couldn't be done profitably, and the employees would suffer too because only some of them would be working and then only part time. That would give both sides, and not just the unions, a real incentive to negotiate, and would make collective bargaining really operative.

We thank the committee for this opportunity to appear.

Mr. FRIEDEL. Thank you, Mr. Biemiller, for your very brief but concise statement.

As I gather from your statement, unless we pass seizure along with the administration's bill—to put it another way, would you be in favor of House Joint Resolution 559 along with seizure? Would you be in favor of the administration's bill with the seizure clause included in the bill?

Mr. BIEMILLER. I take it you are referring to House Joint Resolution 585 which does essentially what you are referring to.

Mr. FRIEDEL. I am referring to House Joint Resolution 559.

Mr. BIEMILLER. Plus seizure?

Mr. FRIEDEL. Plus seizure, yes.

Mr. BIEMILLER. House Joint Resolution 585 is an attempt to do that. We think House Joint Resolution 585 has some deficiencies, but it has the value, at least, in the way it would impound the profits under a seizure. It is a forward step.

We think the seizure provision should be of an executive rather than a receivership nature. We have some other points to make.

As far as the seizure aspect is concerned with regard to the impounding of the profits, and if the bill were shifted from a receivership-type of seizure to executive seizure, we think then the bill should be given very serious consideration by this committee.

It has some other deficiencies, such as the attempt to have a ballot on the final offer of the employers, a procedure that has never been used in the railway labor disputes, and, furthermore, a procedure which, under the 80-day clause of Taft-Hartley, proved to be a mere sham.

It would only be a delaying tactic and of no value whatsoever, in our opinion.

But we think this is at least a model on which the committee could work its way.

Mr. FRIEDEL. Thank you.

Mr. Springer.

Mr. SPRINGER. Mr. Biemiller, I think you have made a very explicit statement. I want to say, as I have to some others, that I think the