

If the employees are not free to exercise their self-help, then the same right to operate for profit should be denied their employers.

Mr. VAN DEERLIN. Do you see in this approach the desirable feature of heading off compulsory final arbitration?

Mr. GILBERT. I cannot find in the examination I made of the bill you mentioned the avoidance of that ultimate being brought about. I may be wrong in my impression but that is my impression of it.

Mr. VAN DEERLIN. I think you are not wrong. That is the one thing that I see in it that really does not change things. It may prolong the action a while longer. You, of course, ask the members for a very difficult favor—that we leave completely open the idea of what Congress would be disposed to do, if no settlement is reached by June 19. I think that most members are going to be reluctant to leave the impression, at a time of national emergency, that the railroads are going to be permitted to shut down.

Mr. GILBERT. Of course, I have some views about that. If somebody quit putting their arms around the railroads' shoulder every time they get into trouble they would get down to the bargaining table and settle these issues where they should be. But as long as they wait until these emergencies arise and run to the Congress for help and Congress gives it to them, they are going to keep coming back. That is the prediction I made some time ago.

Here is an issue that the representatives—I am talking about our own issue from our experience—that the representatives of the railroads told Members of Congress, give us this 2-year period and we will negotiate a settlement. They have not sat down with us that first minute yet in an order to implement what they told Congress they would do. As long as they have a place to go to have somebody else to shoulder their responsibilities in collective bargaining that is where they will go, because they will profit by it.

They are relieved of their responsibilities then of the give-and-take that we have come to know in the process of collective bargaining that has made this country great. Once you take your arm from around their shoulder and tell them get on there and shoulder their responsibilities and discharge them and meet with the employees, they won't be coming back.

They won't have the confidence—unfortunately, they are told, you know, this country can't stand a railroad strike. The moment they are told that, they relax. They have nothing more to do. They know then that the employees are helpless to further promote their interest and they know they have nothing more to do because Congress has bailed them out.

I don't know how strong I could suggest it, but as strong as I can I would urge that they be told accept your responsibilities in collective bargaining and don't be trying to pass it off on somebody else.

Mr. VAN DEERLIN. Thank you, Mr. Gilbert.

Mr. Chairman, in Mr. Pickle's absence I have been asked to seek unanimous consent that an analysis of his proposal on railroad strike legislation be included in the record of the hearing, in the event that the hearing terminates before Mr. Pickle is back.

Mr. MACDONALD. Reserving the right to object, Mr. Chairman, I did not quite understand this. His analysis of what?