When the courts get through kicking it around, months later, and discover that we had the right to bargain collectively all the time, and turns us loose to go ahead with our case, the railroad attorneys simply figure out another angle and go back to another judge or maybe the same one and bingo! We are stopped by another injunction!

The whole picture adds up to this proceeding here, where the railroads are trying to get the Congress to pass a law providing for compulsory arbitration as a permanent change in the Railway Labor Act. They believe that if they come back to the Congress and scream loud enough, they won't have to bargain ever again with their employees because Congress will give them what they want. That will be a sorry day for human liberties when a giant industry can put the yoke of compulsion on their employees with the aid of Congress!

The men who operate the trains of this Nation are demanding that their rights to freedom in collective bargaining without discrimination be preserved and strengthened. I urge you not to forget that these men are not in Government employment. They work for a rich and powerful combine which collectively is using the vital nature of their product to gain an advantage in collective bargaining with their employees! Please don't let that happen in America!

Mr. LUNA. I am appearing in opposition to House Joint Resolution 559, placed before the Congress by the President on May 4. This concerns the dispute of carriers represented by the National Railway Labor Conference and six shopcraft unions.

I have been here before when another President proposed a similar law in another railroad dispute. At that time a nationwide railroad tieup was threatened by the action and attitudes of the carriers. Then, as now, the railroad management wanted a crisis of national importance.

Then, as now, they hoped Congress would bail them out with compulsory arbitration. They got it the first time and I hope this Congress does not make the same mistake.

Since the law was passed, the train and yard service employees have been drastically affected contrary to the intent of Congress. Public Law 88–108 provisions were to last for 2 years. But that is not what happened. The railroads got court decisions stating that Board awards were permanent changes in our agreements, not just for 2 years, as the law intended.

To make it worse, the railroad employees had to pay half the cost of the arbitration procedure, which had been designed for the benefit of the management. Thousands of dollars came from the pockets of brakemen and switchmen to pay for the loss of their own jobs. Some of the men who lost their jobs helped pay for their own execution.

By definition, as stated in the law itself, in section 4, the award of the Arbitration Board expired at the end of the 2 years, quoting from page 4 of my prepared statement. That did not mean a thing to the courts. Parts of the award and all the results of the procedure, the setup, is still in effect by Board order, which, needless to say, is under appeal.

I also, as I said, appeared before the committee on that in 1963. I heard the management testify; I heard the Labor Department testify that if the Congress gives them this law, 88–108, that they felt reasonably sure that we would get to a just settlement between the two parties before the law expired.

In place of the carriers trying to settle—I say the majority of the carriers trying to settle, as was the intent of the law, they took the position that they did not have to negotiate and went to the court-