

The CHAIRMAN. Mr. Keith?

Mr. KEITH. Thank you, Mr. Chairman?

I don't have any specific questions. The testimony that has been developed here, particularly under the questioning of Mr. Springer, is quite enlightening as to the difficulty faced by the Defense Department.

I would like to know what contingency plans exist. Are there any plans such as those that existed in 1952 pertaining to the steel industry?

Mr. IGNATIUS. Mr. Keith, I can only repeat what Secretary McNamara said in his statement: That the consequences of a shutdown of the national rail transportation at this time are such that it simply can't be permitted to occur.

Once again, I must say that I believe a means of preventing this, in the absence of the parties coming into agreement in the manner Mr. Friedel earlier mentioned, could be achieved by the joint resolution which the President has requested of the Congress.

Mr. KEITH. Our chairman has indicated that we are a separate branch of Government and we may not concur.

The other observation that I would make is that it would appear that the Defense Department is getting quite realistic as to the problems involved in this dispute—this attitude may have a subduing effect on other operations which they contemplate from their high and lofty position.

That is all I have, Mr. Chairman.

The CHAIRMAN. Mr. Dingell?

Mr. DINGELL. Thank you, Mr. Chairman.

I read your statement with great interest, General. I am wondering about two points.

One is: Is there authority in the hands of the President at this time to promulgate appropriate regulations for the movement of defense-oriented cargo and cargo on the railroads which is essential to the national defense?

Mr. IGNATIUS. This is on the assumption the railroads were operating?

Mr. DINGELL. Assuming the railroads would stop operating, is there such authority in the President?

Mr. IGNATIUS. I don't believe such authority exists if, by your question, Mr. Dingell, you are referring to seizure, that is, to compel operation. I do not believe such authority exists.

Mr. DINGELL. I don't have the citation of the statute before me, but as I understand it, the President has authority to deal with matters of this kind through the establishing of priorities.

Are you telling me that that legislation does not afford him the power to move cargo and shipments which are essential to the national defense on the railroads?

Mr. IGNATIUS. Sir, this is why I asked the assumption underlying your question. On the assumption that the railroads are operating, the President does have authority under the Defense Production Act with respect to the establishment of priorities in behalf of the national defense, both with respect to manufactured articles as well as transportation.

Mr. DINGELL. You are saying there is no statutory authority for him to move essential shipments in the event of a nationwide railroad strike?