

Mr. Chairman, I would ask at this point unanimous consent that I be allowed to submit for the record a statement on the bill H.R. 5638, which I introduced. I do not wish to impose on the committee by appearing as a witness. But if it would be agreeable, I would ask unanimous consent that I be allowed to submit it for the record at this point.

Mr. FRIEDEL. If there is no objection, it is so ordered.

(The statement referred to follows:)

STATEMENT BY CONGRESSMAN J. J. PICKLE—SUMMARY OF H.R. 5638—TO AMEND SECTION 10 OF THE RAILROAD LABOR ACT TO SETTLE EMERGENCY TRANSPORTATION LABOR DISPUTES

This summary of H.R. 5638 is entered in the hearing record for House Joint Resolution 559 because of the similarity of the problems addressed by both bills. H.R. 5638 would create a permanent solution to the question of national transportation strikes; House Joint Resolution 559 is an ad hoc remedy for the national rail strike now pending.

I would like to outline the provisions of H.R. 5638, then show the relevancy certain aspects of that bill have to the issue at hand.

H.R. 5638

H.R. 5638 amends section 10 of the Railway Labor Act. It preserves the present process up to and including the Federal Mediation Board.

As is the case now, the Mediation Board is empowered to give notification to the President if a dispute between a carrier and its employees is not adjusted under earlier provisions of the act, and if, in the judgment of the Board, such a dispute "threatens substantially to interrupt interstate or foreign commerce to such a degree as to deprive any section of the country of essential transportation."

At this point, the bill would add new procedures to deal with whatever problems arise.

After receiving notification from the Mediation Board, the President would have the discretion to take either of two approaches.

He could appoint a nonbinding Emergency Board with powers virtually identical to those given the Emergency Board under present law, or he could announce his intention to establish a binding arbitration board, termed a Special Board.

If, at this stage, the President elects to appoint an Emergency Board, he may appoint as many disinterested individuals to the Emergency Board as he deems desirable and necessary. The President may also, in his discretion, charge the Emergency Board with the responsibility to make a statement of the facts of the dispute and/or recommendations for the settlement of any or all of the matters in dispute.

Within 60 days after the appointment of the Emergency Board, or such later date as he may specify (but not to exceed 60 additional days), if the dispute has not been settled, the Board shall report to the President, and for 30 days after this report is made, there will be a cooling-off period during which there will be no change, except by mutual agreement, in the working conditions out of which the dispute arose.

After this cooling-off period, the President may exercise any or all, or none of three alternatives—

(1) He may transmit the report of the Emergency Board to Congress for such action as he may recommend.

(2) If the report includes recommendations for settlement, the President may provide by Executive order that these recommendations shall serve as the working conditions for a period not to exceed 120 days.

(3) He may notify the parties of this intention to establish a Special Board.

At this point, it may be noted that the Special Board I just mentioned can be initiated by the President immediately after the notification by the Mediation Board or after the Emergency Board procedures have been utilized.