Congressional Record S. 21410-7 - Interstate Commerce on Railpax Plan

Mike Mansfield 1903-2001
INTERSTATE COMMERCE COMMISSION COMMENTS ON RAILFAX PLAN

Mr. MANSFIELD. Mr. President, as my colleagues in the Senate know, I have been very critical of the Interstate Commerce Commission. It is a regulatory agency, I think the Interstate Commerce Commission has a responsibility to do a little counselling and lecturing within the industry. Am I delighted to see that in commenting on the basic national rail passenger system plan, the ICC is doing this.

The Commission has released its review of the preliminary report on the railfax plan submitted some weeks ago by the Secretary of Transportation. The Commission agrees generally with the basic plan but has suggested six modifications and details which I believe are most worthwhile, and several of these will be of special interest to Montana.

The Interstate Commerce Commission recommends that the plan be expanded to include a connection between two transcontinental routes under the present Burlington-Salt Lake City line operated by the Union Pacific. They have also suggested that service be maintained on both the Great Northern and Northern Pacific rail lines through Montana.

This is of vital importance because to discontinue service on either line would deprive passenger service to half of my state, which is unwise. These recommendations also point up the continuing negative attitude on the part of the railroads which are consistently discouraging passenger service.

I sincerely hope that the Commission will continue to express these opinions in working with other Federal agencies in the development of a viable and successful railroad passenger network.

Mr. President, I ask unanimous consent that this document, "Review of Preliminary Report on Basic National Rail Passenger Service System," submitted by the Interstate Commerce Commission, be printed at this point in the Record.

There being no objection, the document was ordered to be printed in the Record, as follows:

"A review by Interstate Commerce Commission of Preliminary Report on Basic National Rail Passenger System"

DECEMBER 29, 1970.

TO: SECRETARY VOLPE.

The Commission recognizes that your preliminary designation is the culmination of a most difficult and controversial task. We commend you on the achievement of setting forth a plan upon which there can now be built a system of rail passenger service. Without this effort, which could not be made, and rail passenger service in this country would have been destined to disaster. Written and objective standards of the Rail Passenger Service Act of 1970, the initial vision of the new system, will require a substantial cutback in existing passenger service. Keeping things in mind, we have carefully analyzed your preliminary designation.

We have determined that, conclusively, the Commission, which has been charged with the responsibility of recommending a system which will be of special interest to Montana. We have been asked by the Secretary of Transportation to submit recommendations for the Institution of national rail passenger service absent those links and segments which we believe are clearly needed for a national system, even though some of the additional service would undoubtedly be financially marginal, we believe the system would then, on balance, be more nearly meet the requirements of the statute.

Our attention was drawn to ambiguities in the manner of presentation and the layout of the preliminary designation, by which the public might have been led to think that every plan shown will be operated. The fact is that of the many routes you have identified as being designated points, the National Railroad Passenger Corporation created under Title VIII of the Transportation Act, no routes to be operated. Route selection is a Corporation function. Point designation is the Secretary's function, and in case the Secretary determines which route will be selected; but a more specific designation of the intermediate points between the stations performed would provide a clearer guide for route selection.

Our recommendations as to the basic system, summarized here as "essentials," are set forth in detail in Appendix A. Other recommendations for the institution of service in excess of the basic system (under Section 406 of the Act) are set forth as "secondary" in Appendix B. The flexibility of Section 406, 407, and this section, will permit these "secondary" terminals to be placed in the light of actual experience and need. We urge that this be so tested.

In conjunction with the basic system for at least one year. Following the development of the actual operation, we might study the operations of the system as a whole in order to make the determination as to which of the "secondary" routes should be retained.

In reaching our conclusions we have drawn extensively from a variety of data developed in passenger train case over the last twelve years. These proceedings shed light upon the relative demand for passenger service between points, and the extent to which other modes of transportation are available. Among them is the record compiled last month in extensive hearings conducted along the Southern Pacific's "Sunset" route between Los Angeles and San Francisco primarily to develop data for this review. We have considered population statistics, air line "pair" statistics, existing bus and airline schedules, various maps and atlases, the Department of Transportation's 1968 "Corridor Task Force" report and other materials. The course of a briefing of our staff by the Department on December 17, 1970, and other pertinent matters.

Initially, we are concerned about whether your design fully satisfies the statutory mandate. You have specified the ultimate terminal between passenger trains shall be operated and have identified all routes over which service may be provided at the Secretary's discretion for the Corporation. It is more fully discussed below). These two requirements—specification of points and identification of routes—are set forth in Section 201. Designation of a route is a basic requirement. It does not have the same effect as the point of Section 101, "Congressional Findings and Declaration of Purpose." You have met the Section 201 requirement that the points between which service must be provided are designated.

As to certain areas of the country, we believe your designation falls short of the Secretary's requirement that the Corporation be given such wide latitude of routes that some wide end points that some vast areas of the country may be left without service and the Corporation cut off from revenues available in those areas. By operating only the smallest number of train miles in the name of expediency—using a route common to sets of end points—the Corporation could, with the one route, satisfy its obligation as to several sets of end point pairs, yet entirely avoid operating through whole regions, for example, through the northern and southern states. This, too, is a wide a latitude of choice. Vast areas are in danger of losing all passenger service by rail.

Skeletalinized in that fashion, the operations would not constitute the intent stated in Section 101. There the Corporation found that... the public convenience and necessity the rail transportation of the country may be left without service and the Corporation cut off from revenues available in those areas. By operating only the smallest number of train miles in the name of expediency—using a route common to sets of end points—the Corporation could, with the one route, satisfy its obligation as to several sets of end point pairs, yet entirely avoid operating through whole regions, for example, through the northern and southern states. This, too, is a wide a latitude of choice. Vast areas are in danger of losing all passenger service by rail.

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matter is also significant to the carriers, because the payments they will make to the carriers will be computed by their present city-ot-city traffic losses sustained "over the routes between those points" specified by the Senate (201). More practical and practical, recognition of points between which trains shall operate would also assure the public that once a system is established in the connection, it is our understanding of the "intermediate points" shown on the preliminary maps. As Congress has envisioned it (Section 101), the system must link together the various regions providing service between the crown urban areas and in other areas of the country, so that the traveler in America, in will be able to choose most convenient to his needs. Short of that, the entire Federal expenditure could turn out to be a waste.

In our judgment the system set forth in your preliminary paper should be modified and augmented to provide for the services described in detail in Appendix A of these comments. And, if the project is to have a real chance at success, the funding necessary to feasibility must be made available. The essentials of our recommendations are summarized as follows:

1. We urge preservation of rail passenger service along the west coast between Seattle and San Francisco. For this fast-growing corridor would link some of the nation's largest metropolitan areas between which a tremendous amount of private travel occurs. If successful, it could greatly contribute to the alleviation of the notorious highway congestion and air pollution problems of this region.

2. We think it essential that rail passenger service link the West Coast cities between New York and Washington than be maintained, as at present, on a three-weekly basis between New Orleans and Chicago service and a through service across the southern tier, the preliminary designations effectively preclude transcontinental passenger service over the "Sunset" route for the entire southeast as well as for millions living in or near the numerous large cities of the southeast such as Beaumont, Houston, San Antonio, El Paso, Tucson and Phoenix.

3. Trains between Chicago and San Francisco should run over the "Feather River Canyon" route of Western Pacific between Las Vegas and San Francisco and the "Rocky Mountain" route of the Denver & Rio Grande Western between Denver and Seattle, while these trains should not only ensure the continuance of a uniquely scenic travel experience but also assure continuous service between Chicago and the West.

4. Washington and Chicago should be linked by direct rail service, so that the nation's capital, the only major city on the largest rail route through the Pacific Northwest, can be conveniently accessible by rail from midwestern and far western points. This is the key to the whole region's highway and airway congestion problems, could well regain a substantial clientele of business travelers.

5. Trains between Chicago and Seattle should be designed to run via St. Paul-Minneapolis with specified stops at the Twin Cities. Otherwise, it is possible, under the preliminary designation, for these trains to be rerouted over another corridor, completely depriving the states of Wisconsin, Minnesota, North Dakota, and Montana of rail passenger service.

6. The Tampa-St. Petersburg area should not be left without rail passenger trains. This report is a magnificent heavy vacation travel and is inhabited by many older retired people for whom train travel is a necessity. Since you have designated routes along the east coast to Florida, our proposal would involve a relatively short spur route to a already recognized route.

In addition to the six services listed above, we feel the additional services listed in Appendix B must be given careful considerations in arriving at a realistic passenger service. By the Commission,

GEORGE M. STAFFORD, Chairman.

FOOTNOTES

1. Chicago-Seattle: Chicago-San Francisco; and Chicago-Los Angeles all have—each alternative route the 1,302 miles between Chicago and Green River, Wyo., from where separate trains could be operated to the destinations. If this occurs, there would be service only through a central corridor.

2. For example, the end points of Chicago-Detroit; Chicago-New York, and Buffalo could all be handled as a single operation leaving unserved a wide belt across Indiana, Ohio and Pennsylvania now traveled by several New York-Chicago routes.


APPENDIX A—ESSENTIAL RECOMMENDATIONS

1. West coast service between Seattle and Los Angeles

(a) Seattle-San Francisco

To provide service between Seattle and San Francisco, those cities should be established as north-south end points with Portland as an intermediate point.

(b) Seattle-Portland

The Secretary's proposed basic system, the service between San Francisco and Portland would be eliminated. Portland and Seattle would remain only as a possible portion of an alternate Cheins-devoid of routing.

The Seattle-San Francisco corridor is approximately 900 miles in length, with the Seattle-Portland segment comprising 186 miles. R-t corridor would link the two metropolitan areas (Seattle, Portland, and San Francisco) with total population exceeding five million. These metropolitan areas rank 18th, 33rd and 6th respectively in the nation.

Our extensive dealings with transportation officials between San Francisco and Portland clearly show a need for such service which has been operated, albeit at a loss, by Pacific Union. Based on the records we conclude that at least weekly service can satisfy public need, with substantial reductions in the operating losses.

In 1958, three pairs of trains were operated daily. Shortly after the enactment of Section 402 of the Interstate Truck Act of 1957, the Southern Pacific successfully sought authority to reduce the daylight service, the Shasta, to a four-day weekly service. See Southern Pacific Transportation Company Change of Train Service on Trains Nos. 9 and 10 Between Portland, Oregon and Oakland, California, 907 I.C.C. 206 Reference to that proceeding indicates that on a daily average, 466 passengers were utilizing the subject trains. Recognizing that the claimed annual losses were substantial, i.e., 401,812,000, and that an abundance of alternative rail service existed, the Commission authorized reduction of service by order dated June 6, 1964. That rail service remained relatively constant until 1964 when the carrier sought to reduce the Shasta service to a daily summer service only. See Southern Pacific Transportation Company Change in Train Service on Trains Nos. 9 and 10 Between Portland, Oregon and Oakland, California, 320 I.C.C. 740. While the claimed losses on the Shasta had decreased (as a result of the 1957 Interstate Truck Act) to approximately $1 million, the Commission, again citing the availability of remaining service, permitted the Shasta's through discontinuance effective on May 14, 1964.
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Less than a year later Southern Pacific sought to convert the long-distance San Francisco-Los Angeles-Portland-San Francisco trains. See Southern Pacific Transportation Company Discontinuance of Trains Nos. 11 and 12 Between Portland, Oregon and Oakland, California, 334 I.C.C. 159. Discontinuance of these trains was scheduled to take effect June 1, 1968, by order of the Interstate Commerce Commission. As proposed in that order, the public hearing was set for May 11, 1968, in Portland, Oregon. In its report and recommendation, the Commission, 334 I.C.C. 131, found that this plan would not seriously impair the public interest and convenience and ordered the San Francisco-Los Angeles-Portland-San Francisco trains to be discontinued as of June 1, 1968.

In this proceeding, Section 210 of the Interstate Commerce Act, 49 U.S.C. 11701, et seq., was not applicable. While the Secretary had authority under Section 211, 49 U.S.C. 11703, to suspend the Carnegie Improvement Service for one year, the Secretary did not suspend it.

C. Los Angeles-San Francisco

The Los Angeles-San Francisco trains continued in service and were not discontinued. Section 210(a) of the Interstate Commerce Act, 49 U.S.C. 11701, et seq., was applicable. In short, the Secretary’s authority to suspend the competition was not applicable to the Los Angeles-San Francisco trains. The Secretary did not suspend the Los Angeles-San Francisco train.

D. Seattle-Portland

The Seattle-Portland train continued in service and was not discontinued. The Secretary did not suspend the Seattle-Portland train.

E. Los Angeles-Denver

The Los Angeles-Denver train continued in service and was not discontinued. The Secretary did not suspend the Los Angeles-Denver train.

F. Los Angeles-Bakersfield

The Los Angeles-Bakersfield train continued in service and was not discontinued. The Secretary did not suspend the Los Angeles-Bakersfield train.

G. Los Angeles-Portland

The Los Angeles-Portland train continued in service and was not discontinued. The Secretary did not suspend the Los Angeles-Portland train.

H. Los Angeles-Denver

The Los Angeles-Denver train continued in service and was not discontinued. The Secretary did not suspend the Los Angeles-Denver train.

I. Los Angeles-San Francisco

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Z. Los Angeles-San Francisco

The Los Angeles-San Francisco train continued in service and was not discontinued. The Secretary did not suspend the Los Angeles-San Francisco train.

Footnotes at end of article.
Certain metropolitan areas, whose popula-
tion exceeds one million, would be left with
only any meaningful long-distance rail service
under the Committee's proposal. Tuo-
ther rail service, at all. Some 38
these cities have large retirement commu-
ities which are potentially excellent markets
tile southwestern corridor. Morever, our
recent Sunset investigation shows that only
11 of the 38 major centers of population
served by the Sunset have a pass-through
service on the Los Angeles-New Orleans route.
For the other 27 cities, east-west travel
involves circuitous routing, transfers,
and delays. Over the years the communities
served by the Sunset have shown a con-
tinuous reliance on railroad service. We
continue to adhere to the view, supported by
our Sunset investigation concluded only last
month, that Los Angeles-New Orleans service
is essential to any basic rail passenger
system.

Furthermore, if we may assume the es-
establishment of the Sunset route and that
the Corporation elects to operate the Sunset
service between Chicago and San Francisco through New Mexico at the Dales.
Belton and Isleta area, a short connection
of approximately 10 miles could be made be-
 tween El Paso and the specified New Mexico
area served by Santa Fe. This would give
both the west coast area a trans-
continental southern and midwest route.
Thus, at El Paso, a passenger could proceed
to New Orleans or go on to Chicago and the midwest over a much
shorter and cheaper route.

Additionally, the short 242-mile connec-
tion with the proposed system would aide
the Secretary's proposal. service
proposed by the Secretary from El Paso to Kan-
sas City much of which is over the Rock
travel involves circuitous routing, transfers,
and delays. To make rehabilitation difficul-
ty. 3. The Feather River Canyon route of the
Western Pacific Company.

We urge specification of the Western Pa-
cific route between Salt Lake City and San
Francisco as part of the already prescribed Chicago-San Francisco service
Under the Secretary's proposed system, service
between Chicago and San Francisco is desig-
nated over existing rail service. But our judgment
in the past has been that an alternate route
between Chicago and San Francisco should be
considered. As in our view be considered in light of such
evidence of downgrading.

Recent has been a sub-
stantial improvement of service. In October,
1970, the Commission permitted the Sunset
to operate a tri-weekly service between Alpine
and the intermodal connection with the carrier's proposal to relais-
tine dining cars and sleeping cars. Southern Pa-
cific Company. Change in Service of Trains Nos. 1 and 2 Between
Alamosa, Calif., and New Orleans, Finance
Docket No. 26254. Southern Pacific also en-
tered into an agreement with Southern
Railway and Penn Central whereby through
transcontinental service from New York and
Washington, D. C., to Baltimore will be
operated. This new service so far has received an
enthusiastic public response. Testimony in this
record indicates that the service has been
successful. In addition, 38 sleeper
trains will be added in this period for special
travel. Footnotes at end of article.
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Mike Mansfield Papers, Series 21, Box 46, Folder 93, Mansfield Library, University of Montana.
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**The Burlington Northern route traverses areas of the midwest for which intermediate highways are of high value as a means of travel and which, we are informed, have less than ideal highway conditions.** Indeed we are told that only very infrequent users of these two routes near Galena, Illinois offered "congratulations" to motorists for having "survived" U.S. Highway 20. In addition to this information when available, is often more than double the rail fare. The Milwaukee route provides a one-stop express train service between Chicago and Milwaukee, a distance of 90 miles. Air service between Chicago and Milwaukee, though used by many persons, requires extensive travel to and from the Chicago airport, which is located more than one-forth of the way to Milwaukee and involves at least 30 minutes of driving from or to downtown Chicago. Trains serve Portland directly with through cars between Salt Lake City, Spokane or Pasco, Washington. Consequently, trains arrive at both Portland and Seattle from the same train, and the trip is one of 921 miles. The Northern Pacific route, on the other hand, is only of moderate value and was the basis for the conclusion that the route should be discontinued.

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**APPENDIX B-SECONDARY RECOMMENDATIONS**

**1 Salt Lake City-Butte**

The proposed basic system does not include a north-south service between Salt Lake City and Butte, both of which have numerous intermediate points on those transcontinental routes from Chicago to the west coast.

The Commission has twice ordered continuance of the Butte-Salt Lake City service, open to the public. This was allowed because the carrier's failure to reduce service to three weekly but the more recent case denied the franchised service to the public.

The Commission found continuance warranted for four reasons, the reliability of people, the existence of a market, the lack of other means of transportation and the lack of adequate alternate service and the carrier's failure to promote this service.

Of significance is the fact that the train's patronage is in a down recession rate of 83 percent, despite an overnight schedule and the railroads' failure to either publicize the train or to arrange schedules facilitating expediency.

Alternate service is widely circuitous and limited. Forty-six of the 61 stations have no bus service. Air service is infrequent and limited to the terminal and two intermediate points. Roads are limited. There is only one through highway from Great Falls to Butte or Salt Lake City. It is only two-lane and not engineered to Interstate Highway standards. Heavy fog is frequent at the mountain passes throughout the year and frequently closes the remaining route to Butte. The Commission summed up the situation when it ordered a continuance.

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Footnotes at end of article.
The United States District Court for the Eastern District of Missouri recently sus­ tained the Commission's findings respecting the Cannonsville Reservoir and Interstate Commerce Commission (decided July 2, 1970).

The Commission's findings over the past three years show a continuing need for this service and it should be included.

4 Charlottesville-Norfolk/Portsmouth

Under the Secretary's proposed changes, two trains would be provided between St. Louis and Washington. One alternate route is via the Chesapeake & Ohio through Char­ lottesville and Cincinnati, Baltimore and Ohio route to St. Louis. No service is provided to the Portsmouth/Norfolk area which has a metropolitan population of 2,000. The Commission recommends the continuation of service to this area via Charlotte­ ton.

Through these connections, the corpora­ tion could provide service for the tidewater area—with a population of 1,146,000 in the Orleans and the southwest: both north and south on the eastern seaboard; and to Cin­ cinnati, Columbus and St. Louis, Ohio and the west and northwest. Since this area also abounds with military installations the feasibility of the 43-mile route should be advantageous in making the overall rail service viable.

In February 1969 two pairs of trains operated between Portsmouth and Charlottesville. In authorizing the discontinuance of one pair of trains, the Commission relied heavily on the fact that rail service would still be pro­ vided. Chesapeake & Ohio Railway Co. Discon­ tinuance of Trains Nos. 43 and 46 Be­ tween Portsmouth and Charlottesville, Va., et al., 333 I.C.C. 95, 124.

It is noted that the basic system does not utilize the Western states corridor be­ tween Norfolk and Cincinnati via Peters­ burg and Lynchburg, in conjunction with the New York Central & Western, over which one pair of trains presently operates, operates, regularly and is competitive with the Chesapeake & Ohio route. Deletion of the N&W route makes the retention of the C&O/Charlottesville-Port­ mouth route all the more important.

Considering the population of over one million, the abundant number of military installations located in the area, and the shortage of passenger service, a sufficient number of passengers should be generated to warrant and support at least one pair of trains to serve this area.

5. Through service between Chicago and Bos­ ton—Boston-Albany as end points

Under the Secretary's proposal rail service would be materially improved if two through trains between Chicago and Boston-Springfield-New York operation comes into being. And it would end there. Historically, the New York Central and its successor have operated through trains west from Boston, the eighth largest metropolitan area, to Chicago. The Commission urges the inclusion of this corridor in the basic system.

The Secretary has designated New York City as principal end points between the route via Albany. In 1965 in a proceeding before the Commission it was found that the Boston-Albany run provided substantial feeder value to the New York-Buffalo corridor and service between Boston-Albany was con­ sequently ordered reinstated by the Commission.

The 1968 attempt to discontinue these trains was disallowed by the Commission while the Secretary's proposal to continue through the motions of restoring these trains to service. These trains had been discon­ tinued for a number of years, and not restored. When discontinuance was again sought in 1968, the Commission found that the carrier had "put forth no effort to ad­

Footnotes at end of article.

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The riding public would not be without reasonable substitute transportation service after removal of trains Nos. 95, 124, and 156.

In 1967, the Commission allowed the Chicago-Detroit and Toronto, as evidenced by the previous proceeding and the testimony of the parties, the possibility that the inclusion of this service within the system would be warranted and would insure the continued draw of Canadian patronage to other segments of the designated system.

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In 1967, the Commission allowed the Chicago-Detroit and Toronto, as evidenced by the previous proceeding and the testimony of the parties, the possibility that the inclusion of this service within the system would be warranted and would insure the continued draw of Canadian patronage to other segments of the designated system.

(2) New York-Montreal

Presently, Penn Central and the Delaware and Hudson operate two pairs of trains between Montreal and New York. These trains provide a convenient service between the large cities of Canada and the United States. The second train, which serves all the major points reached by train Nos. 155 and 156 with the exception of Flint and Port Huron, these pairs of trains operate essentially dur­ ing daylight hours and generally have greater usage by the public than the noticed trains. 838 I.C.C. 204, 275, supra.

In Conclusion, the Commission recommends for service between Chicago, Detroit and Toronto, as evidenced by the previous proceeding and the testimony of the parties, the possibility that the inclusion of this service within the system would be warranted and would insure the continued draw of Canadian patronage to other segments of the designated system.

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(3) Chicago, San Antonio—Mexico City

For years passenger traffic from Mexico City and the entire population area of central Mexico converging on Chicago, via the United States via Laredo, Texas. While there are other rail crossings on the U.S.-Mexican bor­ der (U.S. rail companies have moved the Laredo crossing to San Antonio where it fanned out to Houston and points south or through St. Louis to points north).

There are 50 million people in Mexico (twice the number in Canada) who tradition­ ally use the United States, not only for manufactured products, but for produc­
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We recommend that passenger service within the United States be reconnected to the Mexican National Railway passenger service at Laredo, Texas, and that it be tied into the proposed routing of passenger traffic from Houston to Chicago. This could be done by running the passenger service over the Missouri Pacific lines from Laredo via San Antonio and Austin to Milam Junction, Texas, where the Missouri Pacific crosses the Santa Fe. (This assumes that the proposed passenger service from Houston to Chicago will be routed via Santa Fe.) In case the proposed routing from Houston to Chicago should be over the Missouri Pacific lines to St. Louis, then the routing from Laredo through San Antonio and Austin would join the Missouri Pacific at Palestine, Texas.

FOOTNOTES

1 Union Pacific Railroad Company Discontinuance of Trains Nos. 35 and 36 Between Salt Lake City, Utah and Butte, Mont., 333 I.C.C. 182 (decided May 16, 1968) and 333 I.C.C. 80 (decided August 26, 1970).
2 N.Y.C. R.R. Co. Discontinuance, 328 I.C.C. 89 at 91.
3 333 I.C.C. 375 at 391.
4 F.D. 26106, Penn Central Transportation Co. Discontinuance of 34 Passenger Trains.