2-8-1971

Congressional Record S. 964 - Interstate Commerce Commission

Mike Mansfield 1903-2001

Let us know how access to this document benefits you.
Follow this and additional works at: https://scholarworks.umt.edu/mansfield_speeches

Recommended Citation
https://scholarworks.umt.edu/mansfield_speeches/950

This Speech is brought to you for free and open access by the Mike Mansfield Papers at ScholarWorks at University of Montana. It has been accepted for inclusion in Mike Mansfield Speeches by an authorized administrator of ScholarWorks at University of Montana. For more information, please contact scholarworks@mso.umt.edu.
CONGRESSIONAL RECORD — SENATE
February 8, 1971

S. 649—INTRODUCTION OF BILL RELATING TO THE INTERSTATE COMMERCE COMMISSION

Mr. MANSFIELD. Mr. President, late in the 91st Congress the Senior Senator from Montana (Mr. Mansfield) and I introduced legislation which would abolish the Interstate Commerce Commission. Today, I have sent to the desk an identical version of the bill as was enacted, which would abolish the Interstate Commerce Commission after a 2-year period during which a special committee would be given an opportunity to consider phasing out the Commission and the appropriate transfer of its duties to one or more existing Federal authorities. This legislation is being cosponsored by Senators AIKEN, CHURCH, FULBRIGHT, GOLDWATER, METCALF, MONToya, PROXMIRE, and Taft.

This proposal is not offered lightly by me or by Senator Mansfield. In my view, it has been after much thought and consideration of what has become one of the most serious crises in our domestic economy. Surface transportation is badly in need of some new guidance. If the ICC had more forcefully advocated and implemented their existing authority over the past several decades, I am convinced that we would not be in the position we are today. The Commission has been far too willing, in my opinion, to acquiesce in the demands of industry and has not given enough attention to the needs of the shippers and the public. It is conceivable that the Commission could correct a number of the problems and set our policies in a different direction and avoid abolishment. I hope so. Quite frankly, I would like to see the Commission take such steps. I never have, and I do not now believe the Senators AIKEN, CHURCH, FULBRIGHT, GOLDWATER, METCALF, MONToya, PROXMIRE, and Taft.

The complaints I have registered concern a rapid deterioration of the Nation’s passenger train service. I have said on many occasions that I believe that the majority of the Nation’s railroads have a very negative attitude toward passenger service. It is in this area that I think the Commission could have been of great help in encouraging the railroads to maintain passenger service. Here again, services are deteriorated in equipment and personnel. The railroads are flagrantly discouraging passenger traffic.

The ICC has approved many discontinuances and mergers which seem to be more in the interest of the carrier’s extracurricular financial activities rather than to its railroad responsibilities. In the West, the railroads were given large land grants in the late 1860’s as an incentive to extend passenger and freight service to the people of the West. Now, they want to limit these services to freight and a concentration on their “other than” railroad investments. Perhaps the railroads might like to return some of the land grants whenever they abandon their railroad activities. Again, I wish to say that I think the ICC should have played the role of a wise counselor and firm advocate of adequate passenger train service. The Interstate Commerce Commission seems to have been the willing servant of the railroads.

We now are entering upon the era of the Railpax which may or may not be the answer to our passenger train difficulties. I have always been a believer in the answer to our passenger train difficulties. I have always been a believer in passenger rail service, but which I now believe to be quite serious and it is likely to get much worse. This is the deterioration in the handling of small shipments. In a nation of our size, small shipments are very important to the individual. We are now witnessing is a regulation and poor service. The small shipment problem concerns all surface transportation—railroads, the trucking industry, buses, and the new U.S. Postal Service. It is this area that I think the ICC can and should take some steps to improve. The length of shipments is almost three or four times what it used to be. Several years ago a parcel could be shipped from Montana to the east coast by expedited freight carrier or parcel post in 6 or 7 days. Now, there is no guarantee that it can be done in 3 or 4 weeks.

Incidents of damaged parcels are far greater than they have ever been and the industry is making it more difficult to process claims. It would seem that the general public is at the mercy of the freight carriers. Rates go up and services go down. How long can this last before we as a people do something about this mess? I urge that the ICC take the lead in attempting to do something about this.

Before concluding my comments, Mr. President, I wish to say in all candor that I think part of the problem the ICC now faces is that they are no longer, in practical terms, a part of the Congress. Their existence and activities are too dependent upon the budget arm of the executive branch. The Interstate Commerce Commission must have sufficient funds to carry out their responsibilities. In addition to the funding problems, the ICC is also, in my opinion, archaic in some attitudes and procedures. This is 1971 and the problems we face are far more complex and must be faced in these terms.

Mr. President, I ask unanimous consent that the text of this legislation be printed in the Reconn at this point in my remarks and be followed by a letter sent to the Committee on Commerce, and or senator, and letter will be printed in the Reconn.

The bill (S. 649) to abolish the Interstate Commerce Commission at a future date and to establish a commission to make recommendations with respect to carrying out the functions of the Interstate Commerce Commission after such date, introduced by Mr. Mansfield (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 649

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ABOLITION OF INTERSTATE COMMERCE COMMISSION

SECTION 1. Effective eighteen months after the enactment of this Act, the Interstate Commerce Commission is abolished.

ESTABLISHMENT OF COMMISSION TO MAKE RECOMMENDATIONS

Sec. 2. (a) There is hereby established a National Commission on Transportation Reg-

Mike Mansfield Papers, Series 21, Box 47, Folder 11, Mansfield Library, University of Montana
ulation (hereinafter referred to as the "Commission") which shall be composed of fifteen members appointed as follows:

shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by him in the performance of duties vested in the Commission.

(2) Members of the Commission, other than those referred to in paragraph (1), shall receive compensation at the rate of $100 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission.

(3) The Commission shall cease to exist ninety days after the submission of its report.

The letter, ordered to be printed in the Record, is as follows:

U.S. SENATE.
OFFICE OF THE MAJORITY LEADER,
WASHINGTON, D.C., NOVEMBER 30, 1970.

Hon. George M. Stafford,
Chairman, Interstate Commerce Commission,
Washington, D.C.

Dear Mr. Stafford:
The gravity of the present surface transportation situation in the United States cannot be overstated. It is past time for the Interstate Commerce Commission to review its decisions with respect to transportation matters under its jurisdiction and to assess its position. We ask that you consider the long list of decisions which have reduced service, increased costs and permitted the draining of assets so seriously as to imperil the future of rail transportation in the United States.

Two once great railroads, after merger, are bankrupt; another newly merged giant is short of cash; passenger trains have been discontinued, one after the other. In little more than three years, there have been freight rate increases totaling 30 percent, with another increment of 7 percent threatened. Only lately and only partially has the ICC demonstrated its concern with carrier diversification and the consequences of it for rail service. In addition, the box-car shortages on the Western lines are not sporadic anymore; it appears to be a permanent liability.

It would be curious, indeed, if the agency that was established to regulate surface transportation were the same wherefrom the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 39 of such title relating to classification and General State of the Code, has the power—

(1) to appoint and fix the compensation of such staff personnel as he deems necessary, and

(2) to procure temporary and intermittent services to the same extent as is authorized by section 6 of the United States Code, but at rates not to exceed $100 a day for individual service.

(b) (1) Any member of the Commission who is appointed from the executive or legislative branch of the Government shall serve without compensation in addition to that received in his regular employment, but

Sincerely yours,

Senator Mike Mansfield, Senator George D. Alken, Senator Stephen M. Young, Senator Quentin N. Burdick, Senator Harold E. Hughes and Senator Abraham Ribicoff.

Senator William Proxmire, Senator Albert Gore, Senator Clifford P. Hansen, Senator Frank Church, Senator Alan Bible, Senator Edward J. Gurney, and Senator B. Everett Jordan.
