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RAILPAX PLAN IN MONTANA—II

Mr. MANSFIELD. Mr. President, on Tuesday, I addressed myself to the problem of what I consider to be the unwise decision—to put it very mildly—of the National Railroad Passenger Corporation in selecting routes for the Railpax plan throughout the Nation. The people of Montana were stunned when they learned that the Corporation recommended that over two-thirds of Montana would have to give up rail passenger services.

Alternate methods of public transportation has apparently been the major factor in their decision. A State like Montana does have other public transportation, but in very limited quantities. A number of these communities affected do not have airline service and in the case of cities like Missoula and Butte, cannot depend on scheduled airlines because of fluctuating and often times, difficult weather conditions. These same areas are mountainous and during the winter there are days when it is impossible to travel by highway, for those the one possible method of transportation, would be the railroads. After May 1, the people of western Montana will not have this option.

Mr. President, I am taking this opportunity to restate my unaltered opposition to the Railpax plan. I ask unanimous consent to have the following documents printed in the RECORD: Telegram of protest to the Secretary of Transportation, John Volpe and David Kendall, Chairman of the National Railroad Passenger Corporation; my statement of March 23; the text of legislation introduced by Senator METCALF and myself affecting this issue; a letter my colleague and I addressed to the Council of Environmental Quality, raising questions about the Council's lack of involvement in this decision; and a letter which we are at the present time drawing up and will send later today to the distinguished chairman of the Subcommittee on Transportation of the Appropriations Committee, the distinguished Senator from West Virginia (Mr. BYRD).

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MARCH 22, 1971.

HON. JOHN R. VOLPE,
*Secretary,
Department of Transportation,
Washington, D.C.:*

Extremely disappointed at Railpax' decision which allows only one transcontinental road across Montana and, in effect, eliminates the old Northern Pacific route. Montana is a state 700 miles wide and over 400 miles long and the need for a two rail lines transportation over Montana is apparent to all. I hope that you will reconsider this decision which will impose a tremendous hardship on Montana because of previous losses in bus, rail and air service. Would suggest that instead of asking funds for supersonic transport that money would be better spent to keep both passenger rail lines in service in Montana, that their passenger service be up-graded and that the administration show more interest in developing and maintaining railroad passenger service to serve all the people, thereby maintaining a tax and employment base rather than not prestigious and long-range items such as the SST.

I personally request that you reconsider

your decision so that the people of Montana will continue to be given the service to which they are entitled to. Otherwise, results will be a great hardship which, in my opinion, will ill-serve the Nation and its people.

Regards,

MIKE MANSFIELD,
Majority Leader, U.S. Senate.

MARCH 22, 1971.

DAVID W. KENDALL,
Chairman, The National Railroad Passenger Corporation, Department of Transportation, Washington, D.C.

Deeply concerned and disappointed in total lack of understanding evidenced in the advanced release of the Railpax plan. The old Great Northern Route selected will leave approximately two-thirds of Montana without rail passenger service. The six largest cities will be without passenger trains. In most cases it will involve surface travel of up to three-hundred miles to a rail depot. I had hoped the initial purpose of the Railpax plan would be to provide reasonable passenger train service, not a retreat and reduction of these services. The Federal Government has become involved because of the negative attitude of the railroads insofar as passenger service is concerned. It would seem the rail corporation is endorsing and continuing this same sterile approach to the surface transportation needs of Montana and the Nation. We had expected at least the recommendations of the Interstate Commerce Commission—alternate day service through Montana on both the Northern Pacific and Great Northern lines with north-south service between Butte and Salt Lake City. People of Montana and the northwest deserve better treatment. Reconsideration is necessary.

MIKE MANSFIELD,
Majority Leader, U.S. Senate.

RAILPAX PLAN AND MONTANA

Mr. President, when the National Railroad Passenger Corporation announced the details of the unified passenger system, I was amazed and shocked with the total lack of understanding and consideration given to the less populated, rural states in the Nation.

When the Congress enacted legislation establishing this new corporation, it was done to bring about a new vigorous approach to railroad passenger service as a replacement for the deteriorating and stagnant passenger service provided by the majority of the railroads in the country. Railroad passenger service has been reduced to such a state that something had to be done to preserve this mode of transportation. If this recent announcement is any indication, the corporation is merely perpetuating what we had hoped to replace.

Fifteen years ago, passenger service was available on three transcontinental railroads through Montana. In recent years, this has been reduced to service on the old Northern Pacific and Great Northern lines. Under the Railpax plan, the only passenger service would be on the Great Northern line, across the Northern edge of Montana. Two-thirds of the State will be without rail passenger service, Montana's six largest cities will not have access to rail service and it will be over three hundred miles from any point in Montana to a rail depot.

In the past several years there has been a great deal of conversation about the migration of Americans from rural areas to metropolitan centers. If we are to make a sincere effort to reverse this trend, the Railpax Plan is not going to help. The route selected through Montana gives every indication of what I feared might happen. It gives primary consideration to the railroad corporation, not the needs of the traveling public. This route through Montana is the shortest and the least costly to maintain. This supports my fear that the Burlington Northern views

Montana as a necessary roadbed between the Twin Cities and Seattle. I fear that there will now be reductions in freight service on the Northern Pacific lines, now that they will not be required to maintain these roads for passenger trains.

As my colleagues here in the Senate know, I have been objecting to the reduced service offered by the railroads for a number of years. I still believe they have purposely reduced their services and discouraged public use of their lines, in an effort to bring about abandonment of their responsibilities in passenger service. The Railpax Plan, appears to support this philosophy and I do not see how it can provide a suitable alternative.

It is quite ironic, that the Congress is considering the appropriation of billions of dollars for the Super Sonic Transport to fly people to Europe and other parts of the world in less than four hours, when it will be virtually impossible to get out of Montana by public surface transportation in order to take advantage of super sonic travel. The corporation officials may feel that the remainder of Montana has adequate alternatives of public transportation. However, I wish to remind these officials that air service does not include many of the smaller cities and at some points, the airlines are attempting to reduce their schedule. Bus lines offer about fifty percent less public transportation than they did a few years ago. Under the Railpax Plan, Montana does have one line which will be available to very few people, but I am certain that constituents in the States of Idaho, Wyoming and South Dakota, find this plan even less comforting.

Originally I had felt that the National Railroad Passenger Corporation could be the answer to the deteriorating surface transportation needs of our nation. I realize, that we can economically maintain railroad passenger service now available without a tightened up system aided by improved service for the traveling public.

In the State of Montana, we could have survived reasonably well, with alternate-day service on the Northern Pacific and Great Northern lines, between the Twin Cities and points in Montana, even if on a reduced basis. Also, in looking at the map of the new improved passenger routes, there is not one North-South connection between Chicago and the West Coast. The corporation thoroughly ignored such existing routes from Butte to Salt Lake City.

For some time I have been considering a plan to require the railroads to abide by their public responsibilities and today I have introduced legislation which would require railroads who benefited by land grants, to return all these lands to the federal government, where they have abandoned rail services. On the surface, this may appear to be a drastic measure, but these railroads were given the original land grants as an incentive to provide railroad services to the people of the United States. If they abandon this intention, I see no reason why they should benefit from the land grants. It is my distinct impression, that in many instances, the railroads are more interested in investments and benefits associated with these lands, than they are with the business of running a railroad.

Mr. President, I ask unanimous consent, to have printed with this part of my remarks, the proposed amendment to the Railroad Passenger Service Act of 1970, which Senator METCALF and I introduced.

Before concluding my remarks today, I wish to express my opposition and views on another matter. The Inter-State Commerce Commission has authorized eastern and western railroads to increase their current freight rates by about 11.8%, without any comments or controls over deteriorating service. Here again, we see an example of the reasoning why I have advocated the abolishment of this regulatory agency, or a comprehensive overhauling of the agency.

RAIL PASSENGER SERVICE ACT

To amend the Rail Passenger Service Act of 1970 in order to require railroads to return lands received as a grant from the Federal Government in return for the discontinuance of passenger or freight service

That title IV of the Rail Passenger Service Act of 1970 is amended by inserting at the end thereof a new section as follows:

"SEC. 406. PUBLIC CONSIDERATION IN RETURN FOR DISCONTINUANCE OF SERVICE.

"(a) Notwithstanding any provision of this or any other Act no railroad holding title of any kind to lands, other than rights of way, which were received as a grant (not including any purchase) from the Federal Government shall discontinue, after May 1, 1971, any passenger or freight service regularly provided prior to such date unless such railroad conveys to the United States all right, title, and interest (including mineral rights) held by such railroad in an amount of such land equal to one hundred acres for each mile of service discontinued.

"(b) For the purpose of this section the term 'rights of way' means land within 300 feet on either side of a railroad track regularly used on May 1, 1971, for the provision of freight or passenger transportation service to the public."

MARCH 23, 1971.

MR. RUSSELL TRAIN,
Chairman, Council on Environmental Quality, Washington, D.C.

DEAR CHAIRMAN TRAIN: At the press conference called yesterday to announce the National Railroad Passenger Corporation's rail system, Mr. John P. Olsson, one of the incorporators, said that the General Counsel of the Department of Transportation had ruled as "unnecessary in this case" a report on the environmental impact of the system. The Acting General Counsel today confirmed this ruling as applying to the Secretary's recommendations for a basic system. Apparently the ruling has been held to obtain as well as for the Corporation.

We are deeply concerned that a decision of such magnitude has been taken without the tests called for in the National Environmental Policy Act of 1969.

The Railpax plan, according to Mr. David Kendall, will operate about half of the currently operating passenger trains. The probabilities are that the railroads will choose to join the corporation and discontinue the remaining trains.

If a large segment of a transportation system is thus abandoned, it does not follow that the public will abandon travel. What means will former rail passengers use? What will be done with abandoned equipment and facilities? Will there be an increase in the use of automobiles? Are the airlines and bus lines equipped to handle even more traffic? Are the airports and bus terminals? Are the highways adequate or will more be cut into the land? What additional pollution can be expected?

We have all seen the photographs of Yosemite and Yellowstone at peak seasons, with bumper to bumper traffic that is usually found only on urban freeways. Last year an official of the National Park Service said there is a very strong possibility that the number of automobiles permitted to enter some of our national parks will have to be limited, both because of the congestion they cause and because of the hazards for plant and animal life from exhaust emissions.

Yet Railpax has decreed that there shall be no passenger train service to Yellowstone National Park in the basic national system.

Such a decision is scarcely consonant with the "interdisciplinary approach" intended by Congress to "insure the integrated use of the natural and social sciences . . . in decision-making which may have an impact on man's

environment," as stated in Public Law 91-190.

Will you please advise us what position the Council on Environmental Quality has taken on the Railpax matter and what steps were taken or might be taken to assess the impact on our environment of the rail system that is to become effective on 1 May?

Very truly yours,

MIKE MANSFIELD,
LEE METCALF,
U.S. Senators.

MARCH 25, 1971.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Appropriations,
U.S. Senate, Washington, D.C.

DEAR CHAIRMAN ELLENDER: We are writing to convey our determined opposition to the granting of any appropriation to the National Railroad Passenger Corporation. In our opinion, the proposed routings of national railroad passenger travel announced by the Railpax directors on March 22 show a blatant disregard for both the will of Congress and the needs of the traveling public.

The Rail Passenger Service Act of 1971 clearly expressed the desire of Congress to make available efficient, clean and convenient rail passenger service that the railroads were seemingly unable or unwilling to provide. It was our understanding that in return for a substantial Federal subsidy, Railpax was to improve the clearly inadequate existing service.

Instead, we are shocked and appalled to discover vast areas of this nation, including Montana, South Dakota, Idaho, Wyoming and other areas, will lose what meager passenger service that still existed after years of neglect. This appears to be almost a great leap backwards in available public transportation, eliminating by half the trains now running.

Indeed, the taxpayers will be paying more to receive less if continued appropriations for Railpax are approved. We urge that no further monies be approved for Railpax until its directors demonstrate more sensitivity to the desperate needs of persons dependent on the railroads for transportation services.

Assuring you of our deep personal concern and interest and with best personal wishes, we are

Sincerely yours,

MIKE MANSFIELD,
LEE METCALF,
U.S. Senators.

Mr. BYRD of West Virginia. Mr. President, will the distinguished majority leader yield?

Mr. MANSFIELD. I am delighted to yield to the Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, I share the sentiments which have been voiced by the distinguished majority leader and express my disappointment with respect to my own State.

West Virginia loses half to two-thirds of the passenger service it had prior to Railpax. The new plan will have to produce a miracle if it comes anywhere near to serving the real needs of the traveling public. Cities like Wheeling, Morgantown, Fairmont, Clarksburg, Martinsburg, Parkersburg, Bluefield, and Williamsburg are not included in the route—the one route—selected.

Compared with some States in which service was eliminated altogether, some may say that West Virginia is fortunate to have been given one route across the State, serving the capital of Charleston and the State's largest city, Huntington. But the State has two other major rail lines in addition to the C. & O.—and they are the B. & O. and the N. & W. These lines extend from the populous areas of the Eastern Seaboard to the Midwest,

and in any logical restoration of railway passenger service will surely have to be included.

There will be no way to reach any of the cities I have mentioned from Washington by rail. Railpax thus far has pleased no one, with the possible exception of the railroads which wanted to get out of the passenger business. I fully understand the widespread dissatisfaction that is being expressed with the routing as announced.

I am told that the B. & O. also proposes to reduce the number of commuter trains running into Washington from the Eastern Panhandle of West Virginia. Three trains are now being operated—one of them is the Capitol Limited, a through train which comes off in the Railpax plan. Only one commuter train will remain between Washington and Martinsburg. Cancelling existing and needed service which is being patronized such as this is not the way to launch the Railpax experiment. I have grave doubts as to whether the experiment will succeed. Rail travel must be made more convenient if it is to succeed. It seems to me that Railpax is making it less convenient.

Mr. President, I want to assure the distinguished majority leader that my Subcommittee on Appropriations will be asking some questions regarding this matter, not only on behalf of West Virginia but also on behalf of the States served by other Senators.

Mr. MANSFIELD. Mr. President, may I say that I want to thank the distinguished Senator from West Virginia, the chairman of the Committee on Appropriations Subcommittee on Transportation. I feel that I have been had because in voting for this Corporation I had no idea that this would be the outcome.

So far as I am concerned, I do not intend to vote for any further appropriations for this Corporation until and unless this situation in Montana—Wyoming and South Dakota especially, as well as in other States of the Union, including specifically West Virginia and cities like Cleveland, which has been cut off with no rail service, and the like—is clarified.

If we can spend money for round trips to the moon, I think we can spend a little money to take care of surface transportation in this country and face up to the needs of the people on this planet.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the distinguished Senator from Minnesota (Mr. HUMPHREY) is now recognized for 1 hour for remarks and colloquy.

SENATE RESOLUTION 87—SUBMISSION OF A RESOLUTION RELATING TO ARMAMENTS LIMITATIONS

A CHANCE TO HALT THE ARMS RACE NOW

Mr. HUMPHREY. Mr. President, I rise to address the Senate on a subject of great importance; namely, national security.

The United States and the Soviet

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 1380. A bill to amend the Rail Passenger Service Act of 1970. Referred to the Committee on Commerce.

(The remarks of Mr. MANSFIELD appear at the beginning of today's RECORD.)

Mr. METCALF. Mr. President, this morning, the distinguished majority leader mentioned that he and I, the two Senators from Montana, had introduced legislation to correct some of the transportation difficulties in the Railpax program.

I concur heartily in the remarks my colleague made this morning, and it was my impression that the bill had been introduced. However, I find now that although the text of the bill was printed in the RECORD, it was not formally introduced.

I ask unanimous consent that the bill be printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1380

A bill to amend the Rail Passenger Service Act of 1970

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title IV of the Rail Passenger Service Act of 1970 is amended by inserting at the end thereof a new section as follows:

"SEC. 406. PUBLIC CONSIDERATION IN RETURN FOR DISCONTINUANCE OF SERVICE.

"(a) Notwithstanding any provision of this or any other Act no railroad holding title of any kind to lands, other than rights of way, which were received as a grant (not including any purchase) from the Federal Government shall discontinue, after May 1, 1971, any passenger or freight service regularly provided prior to such date unless such railroad reconveys to the United States all right, title, and interest (including mineral rights) held by such railroad in an amount of such land equal to one hundred acres for each mile of service discontinued.

"(b) For the purpose of this section the term 'rights of way' means land within 300 feet on either side of a railroad track regularly used on May 1, 1971, for the provision of freight or passenger transportation service to the public."

April 14, 1971

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CONGRESSIONAL RECORD — SENATE

S 4729

RAILPAX PLAN IN MONTANA—NO. 3

Mr. MANSFIELD. Mr. President, on April 6, I appeared before the Senate Subcommittee on Department of Transportation Appropriations discussing the Railpax plan and the many misgivings that my colleague, Senator LEE METCALF, many Montanans, and I have about its effect on the future of surface transportation in Montana. In an effort to keep the people of Montana informed, I ask unanimous consent to have my statement printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR MANSFIELD

Thank you, Mr. Chairman, and Gentlemen of the Committee. I have just been delineating a map here which shows that under the Railpax Plan due to go into effect on May 1st of this year there will be one line along the northern rim of Dakota extending along the high line, the northern rim of Montana, and extending along the northern rim of Idaho, which is a very short area across at that point.

Idaho will have no other railroad, Montana will have no other railroad, North Dakota will have no other railroad, South Dakota will have no other railroads, Wyoming will have no railroads either.

So I think this is a remarkable decision on the part of the Railpax people to deny needed service to this part of the nation. Mr. Chairman, before beginning my statement I wish to state that my colleague, Senator Lee Metcalf, has read over this statement and has asked that he be associated with its contents and recommendations.

Senator Metcalf is participating in hearings on another matter of great importance to the Big Sky Country, the management of our national forests.

Mr. Chairman, who needs the railroads? You do, that is a very, very familiar refrain. This in a view towards also summarizes what we had hoped to accomplish by the Railpax Plan and other programs designed to assist the nation's railroads.

The events of the past two weeks seem to indicate the results are quite the opposite, quite conclusively it now appears that Railpax has given the national railroads the opportunity to embark on a mass passenger train discontinuance. As of May 1st we will have a totally inadequate system of rail passenger service still to be operated by the same railroad which has for years attempted to abandon their responsibility to the traveling public.

If Railpax is not interested in starting off on the right foot perhaps it would be best to withdraw all funds already appropriated which I understand have been impounded and amount to something on the order of \$38 million out of the \$40 million originally appropriated by the Congress, so that the National Railroad Passenger Corporation will not be able to operate after May 1st.

What we have done is to give the railroad a vehicle for massive discontinuation which avoids the traditional process of filing applications for discontinuance with the ICC, in itself an unsatisfactory process.

Then in this preliminary announcement on proposed routes under Railpax and under subsequent modifications in the final report the Secretary of Transportation encourages most areas of the nation to believe that while the service would be reduced it would be adequate. We were misled. The system announced by the national railroad passenger corporation was a shock to many of us in Congress and to the people we represent.

Many states will have only token stops while South Dakota, and Wyoming, as I have indicated, and others as well, in the northeastern part of the nation, will have no passenger service at all.

In the case of my own state of Montana, the fourth largest state in the Union, there will be but one route across the northern tier. This is an area which deserves rail service and needs it. But the Railpax plan completely ignores the remaining two-thirds of Montana and approximately 80 percent of the population.

We had hoped as a minimum that Railpax would provide passenger service to serve communities on both the Great Northern and Northeastern Pacific Lines, on an alter-

nate basis, providing reasonable service between Minneapolis and Spokane and one route which would be adequate to Seattle.

Also one of the obvious shortcomings of the Railpax plan is no north-south service for the northern half of the United States west of Chicago until you hit the coast.

The Montana congressional delegation believes that service between Butte, Montana, and Salt Lake City, Utah has great merit.

The alternate plan would give at least partial service to people in five major cities of Montana. Apparently the operating railroads felt such a plan would be more of an inconvenience and would require additional maintenance. The decision to limit Montana's service to the northern route is indicative of a lack of interest in the whole state.

Again I wish to re-state I have not and will not choose between service on either the old Great Northern or the Northern Pacific line. We need and deserve service on both. For many years Montana has supported 8 trains a day, 4 eastbound and 4 westbound, one half of what is known as the high line and the other for those in the heavily populated or central sections of Montana.

Many residents of Montana will be required to travel approximately 300 miles or more to get to a passenger stop on the northern route. The northern Pacific line which has served Yellowstone National Park for many generations will have been eliminated.

This will contribute greatly to increased auto traffic in that area. When we find one of our oldest and most favored national parks already congested and suffering from overuse and other environmental considerations such a development is deplorable.

Montana has 11 colleges and universities, only 1 of which will be served by Railpax. The 2 universities will have no Rail passenger service at all.

Montana's largest cities including the capital will be without service. What are the senior citizens of these areas to do? Traditionally these people make considerable use of the trains.

We have two veterans hospitals in Montana, one at each end of the state, but neither will have rail passenger service. How are patients to be transported from these centers for special treatment at other hospitals? As the Big Sky country is often faced with difficult weather conditions, travel by air or highway is hazardous or impossible, at times. An alternate means of travel is essential.

Rail has proven the most reliable. Now we will have alternate public transportation but reduced by 81 percent. Bus service is less frequent and service has been discontinued to a number of towns and cities. Airline service needs improvement and we have a monumental job of maintaining feeder airline service in the state.

Pretty soon it will be almost impossible to even get out of Montana from some points by public conveyance. This is ironic indeed in an age of supersonic travel.

Mr. Chairman, I would like to ask one direct question. Just what has the Railpax accomplished with its plan?

In Montana it appears to be an accommodation to the interests of the Burlington Northern Railroad which has been anxious to get out of the passenger train business for a number of years.

In September of last year newly merged Burlington Northern Railroad issued a special report called a new kind of American Railroad. Unfortunately this is the report of a railroad corporation more interested in diverse investments than in running a railroad to serve the interests of the public. At the time of publication the company openly boasted that it ran some of the best passenger trains in the country but that these would be

discontinued because of the enormous deficit incurred to operate poorly patronized passenger trains.

A number of questions have been raised as to the accounting process used by the railroads in allocating losses. Many of these trains have been poorly patronized not because of a lack of interest but because the railroads have downgraded equipment and service, eliminated sleeping cars, offered poor schedules and shunted passenger trains on to sidings to let freights fly by while passengers wait.

This certainly is not a way to increase passenger train customers. I am not aware of any recent campaign on the part of these railroads to encourage use of passenger trains.

I understand that there are a limited few of our American railroads that operate good passenger trains then and these are operated often on a fiscally sound basis. Unfortunately, the land grants railroads of the west have no interest in this.

I am convinced that an aggressive campaign to return the travel public to the rails would succeed.

The Metroliner is an example, even though the Federal Government has had a difficult time convincing Penn-Central of this. In our rapidly growing society there is a need for a multi-faceted system of public transportation, for instance, buses and airplanes.

My able colleague Senator Metcalf, and I have, have introduced legislation which would require the land grants railroads to return a portion of their granted lands for every abandonment of passenger or other service. This might seem unreasonable but on the other hand we gave the railroads the lands to support the rail enterprise across the continent.

I believe it was intended that this incentive would both construct the railroad service and keep it running for the people of the west. The nation's railroads in the mid 1800's did not have the resources to build across the continent.

The land grants provided the incentive. Now they wish to ignore the purpose for the grant, surface transportation to the mid-west and the west. Corporate officials boast of having repaid the grants many times over.

This is misleading. The railroads were excused in 1958 from giving a special lower rate for carrying freight or passenger for the United States Government but they were not absolved of their responsibility to run the railroads.

Incidentally, speaking of freight rates, it is ironic to note that within the past 3 years the ICC had granted an increase by approximately fifty percent to the eastern and western railroads for the carrying of freight.

Mr. Chairman, we are here today to discuss the future of the Railpax. If Railpax is not going to succeed in serving the nation, and I mean the 48 contiguous states, then it should not begin. As proposed only the northeast corridor from Washington, D.C. to Boston will receive more than skeletal scheduling of passenger trains.

If Railpax proceeds I would like to know how they are progressing in the hiring of professional management staff, personnel with competence and know how in transportation. As I have stated on a number of occasions this nation faces a transportation crisis of monumental proportions.

This subcommittee and its chairman are to be commended for meeting this situation head on. I sincerely hope that the committee on commerce will also be able to address itself to these problems in depth and in the near future.

Mr. Chairman, and gentlemen of the Committee, may I conclude once again by repeating a refrain you hear every day over the radio and the TV?

Who needs the railroads? You do. We all do. Truer words were never spoken but the

way we are going the railroads are disappearing like the buffalo and the ox cart.

Mr. MANSFIELD. Mr. President, I also ask unanimous consent to have several articles printed in the RECORD which will give my colleagues here in the Senate a capsule opinion of how people in Montana feel and the observations of several national news columnists.

First, is an editorial from the Independent Record published in Helena, Mont., on March 30, entitled "Railpax Grumbings."

Two articles from the Billings Gazette of March 31, 1971, relative to the railroads efforts to seek Federal help.

"Railpax Key: Avoiding the ICC," a column appearing in the Wall Street Journal on March 25, 1971.

D. J. R. Bruckner's column on the transportation mess in the New York Post of Tuesday, March 30, 1971.

An article from the New York Times of April 4, 1971, relative to the increase of train service in the Northeast Corridor under Railpax.

In addition, I am inserting a copy of a letter from Richard Herminghaus of Billings, Mont., discussing the effect that this Railpax decision will have on students attending the State universities and colleges.

Concluding, Mr. President, I ask that the text of two letters I have sent today be printed with the other insertions—one is a letter to the Secretary of Transportation, John Volpe, continuing our discussions about the deficiencies in the Railpax plan, and the other is addressed to Senator WARREN MAGNUSON, chairman of the Senate Committee on Commerce, suggesting early hearings on transportation problems.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Helena (Mont.) Independent Record, Mar. 30, 1971]

RAILPAX GRUMBINGS

Some more thoughts on the ridiculous Railpax decision to route the only Chicago-Seattle passenger train across Montana's Hi-Line.

We don't think anyone in populated southern Montana wishes to penalize the Hi-Line. Those people need a good passenger train to compensate for the lack of first-rate air service and an inter-state highway.

But southern Montana needs a good passenger train, too. Not only does most of Montana's population live in cities along the southern route, but these factors should be considered also:

1. Colleges. College students rely heavily on rail transportation. These campuses are located in cities that would be served by a southern route: The University of Montana (Missoula), Carroll College (Helena), Montana Tech (Butte), Eastern Montana and Rocky Mountain College (Billings), Miles Community College (Miles City), Dawson Community College (Glendive). These campuses are on the Hi-Line route: Northern Montana (Havre), Flathead Community College (Kalispell), which is actually 15 miles from the rail stop at Whitefish.

2. Veterans Hospitals. Ailing and disabled veterans rely heavily on railroad transportation to get to and from VA hospitals. There are two VA hospitals in Montana—at Helena and Miles City, both on the southern route.

Although it is doubtful they influenced the

Hi-Line decision, the decision certainly took Sens. Mike Mansfield and Lee Metcalf and Congressman Richard Shoup off the hook.

It spares the politically delicate clash between Helena and Butte over which one would get the train if it ran through southern Montana.

They can't complain about the Hi-Line route because they have constituents up there, too. All they can do is holler because southern Montana didn't get a train as well.

When Donald Deuster, the Department of Transportation's Railpax salesman spoke in Helena a couple of months ago, he said one of the great benefits of a successful rail passenger system would be the reduction of air pollution from automobiles as more people rode the rails instead of the highways.

There already are a lot more autos traveling between the population centers of southern Montana than the prairies of the north. And there will be even more when southern Montana has no rail transportation at all after May 1.

The Hi-Line Railpax route will serve Glacier National Park. Fine. Glacier needs rail service. But what about Yellowstone Park. It attracts more than twice the number of visitors as Glacier, but the closest they will be able to get to it by train is Havre, Denver or Salt Lake City.

Among the defenses for the exclusive Hi-Line route is that it will cut one hour off the trip between Chicago and Seattle (41 hours vs. 42).

Come off it. If a traveler were anxious to save an hour, he'd take a plane and save 36 or 37 hours.

[From the Billings (Mont.) Gazette, Mar. 31, 1971]

RAILS SEEKING FEDERAL HELP

WASHINGTON.—An industry spokesman urged Congress Tuesday to rescue the nation's ailing railroads with a \$36-billion industry-government program of federal loan guarantees, grants, tax breaks and regulatory reform.

"Large segments of the railroad industry are in desperate trouble—trouble so serious that this country is faced with the very real danger of a far-reaching collapse of its rail system," said former Sen. George Smathers, an official of the Association of American Railroads.

Smathers, testifying before the Senate surface transportation subcommittee, said four railroads serving half the nation's population already are in reorganization and 18 more are in trouble.

Collapse of the railroads would be intolerable, he said, because "the economy of the nation cannot survive, much less advance, without an adequate rail system."

Without action by the government, he added, outright federal takeover of the railroads is inevitable although such action has not turned foreign railroads into profitable operations.

Smathers said the report envisions a total outlay for improvements to plant, equipment and service of \$36 billion over 11 years.

The only round figure he used for outright government aid was \$600 million a year.

Smathers testified on a report by America's Sound Transportation Review Organization (ASTRO), an industry study group for which he is general counsel. He formerly was a Democratic senator from Florida.

Stephen Ailes, president of the AAJR who appeared with Smathers, said the government's share would be less than one-fifth of the \$36 billion.

Other specialists, however, have estimated that the total federal and local government contribution could run to \$1.5 billion a year if various tax breaks sought by the industry were included.

[From the Billings (Mont.) Gazette, Mar. 31, 1971]

METCALF SAYS RAILROADS ASKING FEDERAL "RELIEF"

WASHINGTON.—Sen. Lee Metcalf, D-Mont., saying Congress "is now on a course which will make it a party to a worse boondoggle than the Penn Central fiasco," has attacked American railroads for embarking on an elaborate national lobbying effort to obtain congressional approval of a "\$36 billion rail relief package."

He said the lobbying by ASTRO, America's Sound Transportation Review Organization, comes at a time when the Interstate Commerce Commission is considering the railroad rate base case, Docket 271.

ASTRO materials emphasize that their objective is political action, Metcalf said, including appropriations to overcome past deficiencies, tax credits, tax exemption, rapid tax write-offs, loan guarantees, low-interest loans, authority for astronomic rate increases and "even more freedom to abandon service."

He said a number of companies in the lobbying campaign are conglomerates in which transportation is secondary or "tertiary to real estate, lumber, mining or other lucrative business, none of which is described in ASTRO materials."

The ASTRO kit states it would cost up to \$60 billion to buy out the railroads, an amount which Metcalf said is almost three times the \$21 billion estimated by the National Association of Railroad Passengers.

"You can be sure that the ICC will be inundated by CASTRO data, while the paying public has no experts to present the counter arguments," Metcalf said, pledging he will soon offer some alternatives to the ASTRO 10-year plan for a \$36 billion subsidy.

CASTRO, Metcalf's acronym for ASTRO, which he said, is a "massively deceptive lobbying campaign" that should be renamed—"Conglomerate America's Slick Transportation Rip-Off."

He said he hopes that Congress will abstain from action on ASTRO proposals until further investigation, adding that neither Congress nor the ICC has the "information and expert counsel needed to suit rail transportation to needs."

[From the Wall Street Journal, Mar. 25, 1971]

RAILPAX KEY: AVOIDING THE ICC

(By William D. Grampp)

The Rail Passenger Service Act, which established Railpax, makes it clear that the government, in sustaining rail passenger service, intends to use the very methods that the railroads themselves have been denied by the Interstate Commerce Commission.

This week the National Railway Passenger Corp., as Railpax is officially known, announced the routes and schedules it will begin operating in May. The number of trains will be cut to 185 from the 366 currently operating. Railpax has decreed it will travel 21 routes serving 114 cities. It will announce its fares later. Neither fares nor service are subject to regulation by the ICC or any other agency. That is monopoly power, as any tyro in economics knows.

The railroads, of course, do not have this power. The ICC regulates their fare and has authority over the amount of service. If a railroad wishes to remove a train from its schedule, the ICC can delay discontinuance for up to a year. The state agencies also can delay it.

EXEMPT FROM RESTRAINT

Railpax is exempt from these restraints; the Secretary of Transportation was authorized to specify the routes and service. He was required to hear the views of the ICC, railway unions, state governments and other interested groups, but he was not required to

comply with them. He did in fact add five routes to the sixteen he at first wanted. His decision is not subject to change by Congress or review by a court.

The 21 routes must be operated until 1973, after which any reduction is subject to delay by the ICC. Railpax on its own authority may add to the system and remove what it has added. This feature of the law probably has made the basic system smaller than it would have been had Railpax been given the power to reduce as well as to increase service.

The law suggests an obvious question: Why couldn't the railroads have been given the power Railpax was given? Why was a new corporation needed to do what the railroads themselves have wanted to do? Of course such power is inconsistent with the Interstate Commerce Act and the antitrust laws. But Congress has exempted Railpax from them and could have exempted the railroads.

The answer may seem to be that if the railroads had monopoly power they would use it to make a profit. Yet the law states that Railpax too "shall be a for profit corporation." Moreover, it is not to be a shy, different enterprise that will preside over the gradual disappearance of passenger trains. On the contrary, "It lays the foundation for what in my opinion is destined to become the all-time comeback in the history of American transportation," Transportation Secretary Volpe has stated.

One could argue that the government will use monopoly power in the public interest while the railroads will not. Yet there is nothing in the law to indicate that the government will do this. It is directed "to provide fast and comfortable transportation," but that is hopelessly imprecise. It might have been directed to consider the possible external benefits of passenger trains, like a lessening of pollution and of congestion on highways and airports. But except for a few misty references, such external considerations were ignored.

There is a fanciful notion that the American people really want to travel by train even though they don't. The railroads, so the fancy runs, don't like passengers, do everything they can to discourage them, and leave them no way to travel except by airplane, bus and automobile. The fancy is heightened by recollections of the glorious age of railroading, evocations of Pacific 990, and how the breakfast was in the diner while the Zephyr was passing through the Feather River Canyon. These glories could be restored, and with profit, goes this argument, if only the passenger business were operated by an organization dedicated to passenger service. Congress has created one—Railpax.

But Railpax in fact is going to face the same problems the railroads have faced. To say they "want out" of passenger service for no good reason is quite erroneous. No company wants out of a source of profit. If the company happens to be managed by people who are incompetent, mulish and not fond of customers, they will be removed by the shareholders. The railroad shareholders are no different from those who hold stock in any other company. They all want a suitable rate of return.

The railroads have wanted to curtail passenger service because it is not as profitable as freight. That simply means that they can use labor and capital more efficiently to transport goods than people. That is just what they should do, except if clear reasons to the contrary can be shown. There are such reasons in welfare economics, and they conceivably could be relevant to passenger trains. But they have not been brought forward in the law, which, remember, directs Railpax to be profitable.

One reason that the railroads have not been profitable is the obvious decline in the demand for travel by rail. It discloses a preference for private over public means of trans-

portation by people who can afford both, a number that increases as the economy grows. The preference goes far back into the history of transportation and will not be altered by the marketing programs of Railpax.

Before the age of railroads, people who could afford to do so traveled by private carriage rather than stage coach. The railroads displaced the carriage because they were faster than the automobile.

AUTOMOBILES AND AIRLINES

The automobile is also the principal cause of the public transportation system's troubles inside the cities. It also accounts for the decline in intercity bus travel.

It has affected the airlines also, mainly by reducing the traffic on short routes. These routes were subsidized for years by the profits on long routes. That was economic folly and now is nearly ended. The consequence is that traffic on short routes has declined, and the airlines have discontinued many short flights. The only kind of travel that the automobile has not challenged is travel over long distances. Here the airlines have an advantage. But that too is diminishing as the Interstate highway system nears completion. Distances that once were long are not as "long" as they were because travel time is less.

The passenger trains will have difficulty in finding a place for themselves between the automobile and the airlines. The place may be short and intermediate distances. The problem of locating it will not, however, be as difficult for Railpax as it was for the railroads. Their ICC restrictions on determining service and fares is the other reason that the rail passenger business has been unprofitable. As the demand declined, they were not able to reduce supply sufficiently. They then looked for other ways to reduce cost and found them in allowing the quality of the service to deteriorate. The results were the familiar aggravations of travel by rail—slow and dirty trains, rude employes, poor service, undependable schedules.

Railpax hopes to end all of this. It will be directed by a board of 15. The President appoints eight, one of whom must be the Secretary of Transportation and another a representative of consumers. Seven are elected by shareholders. The common stock will at first be held by the participating railroads. The preferred (6%, cumulative, convertible) will be first held only by non-railroads. No stock will be owned by the government, but the government will provide a \$40 million subsidy and guarantee loans up to \$300 million.

In its financial structure, Railpax resembles a merger, but with odd features. Its assets will be provided by the railroads, which are free to participate or not. If one does not, it must operate its present service until 1975 irrespective of the loss. If a railroad participates, it makes a payment to Railpax and receives common stock. The payment is represented as a consideration for the railroad's being released from the obligation to provide passenger service. The amount of payment may be computed in any of three ways, and all are a fraction of the 1969 losses from passenger service. Railpax determines whether the payment is to be in cash, equipment or provision of service for it.

The most unprofitable railroads will make the largest payments and become the largest common stockholders. They will not, however, have a proportionately large authority in Railpax. Its voting rules will minimize the influence of all railroads. They will elect three of the seven directors not chosen by the government (the other four will be elected by the holders of the preferred). None of the three may vote on any matter between Railpax and a railroad. The conditions seem to be onerous and to single out the railroads for a kind of public rebuke, just as

the commercial banks were singled out when the Federal Reserve System was established and limited the membership of bankers on the boards of the Reserve Banks.

REMEMBERING MR. VANDERBILT

The railroads do not have a high place in public opinion, perhaps a punishment for their past. Everyone remembers Cornelius Vanderbilt, of the New York Central, whose opinion was that the public could be damned. What he seems to have meant was considerably different from what the opinion suggests, and it has a bearing on Railpax. He expressed himself to reporters in 1882, when they asked if the luxury cars on the Chicago-New York train were included solely to accommodate the public. Vanderbilt said the cars were on the New York Central train because they were on the trains of its competitors. "Accommodation of the public? Nonsense," is the way the Chicago Tribune quoted him. It was The Chicago Daily News that reported he said, "The public be damned." Whatever his language actually was, his meaning was simple. He meant to operate his passenger trains at a profit. So does Railpax.

[From the New York Post, Mar. 30, 1971]

TRANSPORTATION MESS

(By D. J. R. Bruckner)

WASHINGTON.—Sometimes there are traffic jams on the little underground railway that runs between the office buildings of Congress and the Capitol. People push, shove and jump over one another to grab seats.

You have to fight for reservations for a good seat on the Metroliner that goes between here and New York. That train averages 65 per cent occupancy. In good times the airlines average 50 per cent. But these are not good times. At Dulles Airport any day you can see 747s arriving with a few passengers and hundreds of empty seats.

Last week the National Railroad Passenger Corp. announced its national routes, to be effective May 1. There will be half as many passenger trains as there are now. Six states will have no trains. The only north-south line between Chicago and California will be the run from Newton, Kan., to Houston.

The Interstate Commerce Commission has just authorized another freight rate increase for the railroads, the fifth one in four years. This latest increase is a \$380 million package, making the total annual rate increases allowed since 1967 a little more than \$3 billion.

It was against that background that the White House, the aircraft industry and George Meany's wing of the labor movement tried to get Congress to add another \$525 million to the more than \$800 million in taxpayers' money already spent to develop a couple of supersonic airliners. It was pretty crude of the White House to bully Dick Cavett into giving solo star billing to a dull engineer who was trying to peddle this airplane to the public, but some of the pressures used by the lobbyists on Capitol Hill were not much gentler.

Sen. Mike Mansfield (D-Mont.) was saying the other day that the SST promoters argued that quicker flights could get businessmen to Tokyo and London sooner, so they would not have to suffer "jet lag." He noted that, when he takes a train home to Montana, he does not suffer any jet lag at all. But Railpax will take care of that, too. In its route map there is only one passenger train stop in Montana, way up at the northern border of the state, far from the six biggest cities in the state.

We can go anywhere we want to, in the world, quickly and in comfort, Mansfield pointed out. But we are losing the facilities to get out into our own countryside, and in the urban areas public transit from one part of town to another is deteriorating or nonexistent.

That, in an important sense, is what the SST fight was all about. Sen. Lowell Weicker (R-Conn.) gave the Senate some interesting figures: in fiscal 1971 about 6.5 million people will use international flights, while 286 million will use inter-city and commuter railroads and 5.8 billion will use urban mass transit. In the Transportation Dept. budget there is \$29 million for railroads, \$400 million for mass transit, and there would have been \$290 million for the SST this year.

Now, if everybody taking international flights took an SST, those budgets would break down to \$44.96 per passenger this year in federal spending on that aircraft. Federal spending for railroads would be a dime a passenger, and the government would be spending seven cents a passenger on mass transit.

If the SST lobbyists had been smart, instead of twisting arms, they would have sent a battalion of runners with sedan chairs to the Capitol on the days of the votes, to carry members of Congress from their offices to the Capitol so they would not have had the sight of the traffic jams of those little underground trains in mind when the time came to vote.

[From the New York Times, Apr. 4, 1971]
RAILPAX IS PLANNING ON A MAJOR INCREASE IN TRAIN SERVICE IN NORTHEAST CORRIDOR
(By Christopher Lydon)

WASHINGTON, April 3.—The National Railroad and Passenger Corporation, which will drop half of the nation's intercity trains when it begins operation next month, is also planning a major revival of service in the Boston-New York-Washington corridor that could largely supplant air shuttles before the middle of the decade.

The corporation will continue service in the Northeast region with only minor changes on May 1, but key officials talk of doubling the train schedule by fall and halving the conventional running times in the foreseeable future.

A major element in their plans is the calculation that the airlines now flying the congested corridor lanes have lost their battle to make the service profitable, even at sharply rising fares, and will support public investments in radical track improvement and happily retire from the competition.

Eastern Airlines' unsuccessful effort to drop its Newark-Washington shuttle last year and American Airlines' help in designing the rail corporation's food and reservation services are both cited as more than symbolic evidence of historic transition.

With less than a month to go before it will merit the nation's troubled passenger trains, the new corporation has not yet announced what it wants to be called and is still looking for a chief executive to lead it.

Yet, there is seeming confidence at the headquarters here that, given its rather desperate assignment, the corporation has made a sound start—that it has struck a reasonable bargain with the railroads for the operation of its trains, and that its route map and schedule can be defended against political attack. The special importance assigned to the Northeast Corridor is a central element in the attacks, and in the defense.

Board members and staff at the corporation acknowledge that the Northeast Corridor is the heart of their system, though it is not simple favoritism, they say, and it works two ways.

The 7-state region between Washington and Boston will be the first area to see an expansion of train service in more than a generation; more than half of the 184 daily trains in the opening national network will run within that region.

At the same time, four longhaul routes to the West Coast that have no prospect of breaking even will be subsidized at least

partially by revenues from the Northeast Corridor. Further, the prospects of expanded corridor service elsewhere—between Chicago and St. Louis, for example—will hang largely on the success of the northeast model.

The corporation's service proposal has clearly forestalled the earlier interest among Mayors and Governors of the Northeast in creating their own regional railroad agency.

Powerful spokesmen for a number of Central and Western States, on the other hand, are bitter about new service reductions, but they are not considered likely to force a change in the corporation's plans.

"I feel that I have been had," moaned Senator Mike Mansfield, the Democratic leader, when he discovered that the one surviving train through his home state of Montana would skirt the Canadian border, missing the state's six largest cities completely. At Mr. Mansfield's urging the Senate Appropriations Committee has summoned the corporation, unofficially known as "railpax," to public hearings on Tuesday to explain its choice of routes, but the corporation is prepared to stand its ground.

It will argue, for example, that the Northernmost route between Chicago and Seattle is a faster and shorter track than Mr. Mansfield's alternative. It will also remind critics that in writing the rail passenger law last year, Congress carefully excluded itself from route-selection decisions and offered a fairly simple remedy for areas that consider themselves underserved: communities and states in any combination can insist on additional trains if they are willing to pay two-thirds of the extra deficit incurred.

The corporation is prepared to make heavy demands on Congress for capital improvements to pay for the restoration of routes that have poor economic prospects over the long term.

The very lean financing with which Congress organized the rail corporation has strengthened the board's hand in contract negotiations with the railroads that will continue to provide track and crews for passenger trains.

In the original discussions, the railroads demanded reimbursement for their direct expenses and, in addition, a management fee and some return on their own capital investment.

The Corporation, pleading poverty, insisted that it could only pay the railroads for their direct costs, with a small addition to cover some shared expenses—like track maintenance—attributable to freight and passenger operations.

The railroads, fearful that a protracted dispute over terms would delay their deliverance from passenger deficits, acceded to the corporation. The formal signing of operating contracts awaits only a final resolution of the relative responsibilities for severance pay and job protection for men who lose their jobs as a result of train discontinuances.

The rail corporation will be heavily burdened at the outset with the expense of maintaining huge city terminals built for a busier era. It will cost \$13.7-million a year just to run Washington's union station; \$7.6-million for the station in St. Louis; \$4.5-million for the station in Cincinnati.

Unneeded capacity in old-fashioned stations is expected to cost the corporation \$50-million in its first year—or half of the projected \$100-million first-year deficits. But the corporation proposes to move swiftly, as the railroads never did, to modify the stations to suit modern needs. "Tens of millions of dollars can be saved," one official remarked last week, "by actually knocking a lot of these stations down."

The corporation has chosen its colors, its official nickname and its advertising symbol, all still secret, though the preliminary name "Railpax" and all other variations on the "rail" base are known to have been rejected

because of what are considered the unfavorable connotations associated with recent railroad history.

It is clear, also that he search for a chief executive is steering clear of railroad men, looking instead to the airline industry and men with marketing experience in particular.

Robert F. Six, the president of Continental Airlines, turned down a feeler two weeks ago. Arthur D. Lewis, a former president of Eastern Airlines, has been urged by fellow members of the rail corporation's board to consider the presidency but has rejected it. George Keck, who abruptly left the top executive post at United Airlines last year, has been widely mentioned for the railroad job but is now said to be out of the running.

For the right man who is willing, the corporation is understood to be offering an annual salary that includes \$150,000 in direct and deferred benefits.

MARCH 31, 1971.

HON. MIKE MANSFIELD,
U.S. Senator, State of Montana,
U.S. Senate Building,
Washington, D.C.

DEAR SENATOR MANSFIELD: There are quite a number of people in Billings who have students at the Montana State University at Bozeman and the University of Montana at Missoula as well as students at other colleges in the state of Montana. I think I speak for them when I express deep concern about the impending plans of Rail Pax.

Certainly many of the young people travel by automobile to their various schools, but a great number of the students are dependent upon dependable and economical transportation to their schools. Just yesterday I paid a bill to one of the travel services for a round trip ticket to Missoula with a reserve seat and the cost was \$27.50. In comparison, a phone call of a moment ago, I find that the round trip coach airlines ticket as quoted by Northwest Airlines is \$58.00 or as you can see it's \$29.00 to Missoula and \$29.00 back which is more than the round trip ticket by the Northcoast Limited.

It doesn't seem to make sense to most of us here in Montana and North Dakota, that the population centers such as Bismarck, Miles City and Billings, Bozeman, Butte, Missoula, etc. are all bypassed and have to rely on very expensive airline means of transportation which I understand will go up even more in the coming years because of the losses suffered by the airlines and by a bus service which normally does not have too many seats with a somewhat slower schedule than the Northcoast Limited. The cost, however, is very near the same as the round trip ticket is \$24.85 as contrasted with a cost of \$27.50 on a reserved coach basis on the railroad.

Please be assured that all of us here in Montana are behind you 100% in your fight. We have been reading with interest, the protest that you and your fellow Representatives and Senators have been making and we hope that you can and do continue in your fight to have the Government serve the people instead of the alternative.

Yours very truly,

R. HERMINGHAUS:

WASHINGTON, D.C.,
April 13, 1971.

HON. JOHN VOLPE,
Secretary, Department of Transportation,
Washington, D.C.

DEAR MR. SECRETARY: Since my appearance before the Senate Subcommittee on Department of Transportation Appropriations, April 6, I have had an opportunity to give the Railpax plan some additional thought and consideration. I appreciate your letter of April 5, but it would be most helpful if you could assist in obtaining a further clarification of this decision made by the National Railroad Passenger Corporation.

You indicate that, "the decision not to continue east-west service across southern Montana was made because ridership is less on this line than on the northern route through Havre." I find this somewhat difficult to believe, in view of the fact that the southern route serves Montana's larger cities—Missoula, Butte, Helena, Bozeman, Billings, Miles City and Glendive. The northern route serves an area which is in need but Havre and Kalispell, via Whitefish, are the only two cities served which are among the top ten cities of the State, I would appreciate having detailed statistical information on passenger boardings and detrainings on the southern route as compared to the northern route. I also would like to remind you that in recent years the Northern Pacific Railroad has made an effort to discourage passenger service on the southern route and this would have an effect on the statistics.

I am aware that the philosophy of the Railpax plan is to give adequate service to high density population areas but we cannot forget the long-haul service through the large, less-populated states. At a time when we should be concentrating on the shift to rural areas, there is this very great tendency to ignore states like Montana. The people of the Big Sky Country do not want to see the state merely a roadbed for the transcontinental freight lines. We deserve minimal service and this we do not have under the present Railpax plan. We had hoped to have, as a minimum, alternate day service on both Burlington-Northern lines. This does not seem to be unreasonable when the trackage on both lines must be maintained to handle freight service.

I recognize your desire to see support in the difficult task which lies ahead but, unfortunately, I cannot give you this kind of help when a large part of my own State is being ignored. I still have the distinct feeling that the Railpax is too closely identified with the specific interests and wishes of the railroad corporations. These are not directed to the needs of the travelling public and reversal of the deterioration of rail passenger service. I am firmly convinced that there is a need for a coordinated public transportation system in this nation and the railroads have a very important part to play.

I would appreciate receiving the information requested at an early date in view of the pending May 1 deadline.

With best personal wishes, I am,
Sincerely yours,

MIKE MANSFIELD.

WASHINGTON, D.C.,
April 13, 1971.

HON. WARREN MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate.

DEAR MR. CHAIRMAN: The Railpax plan recently announced by the National Railroad Passenger Corporation disturbs me greatly and it has generated a great deal of opposition in the State of Montana. The plan does not give minimal service to the State; in fact, it ignores about 80 per cent of the population.

As you know, I am greatly concerned about what I consider to be a rapidly approaching crisis in public transportation. The Railpax plan does not offer any solutions and, in fact, will probably compound the crisis.

I am firmly convinced that we have all been too willing to give in to the pleadings of the railroad corporations. The railroads have not attempted to keep up with the competition in public transportation; in fact, they have retreated through unimaginative management, misleading accounting systems, and neglect of service responsibilities. The Interstate Commerce Commission has gone along with their requests for discontinuances, freight rate increases and has refrained too frequently from counseling the

industry. I am slightly encouraged by their current activities, especially their willingness to recognize intra-industry refusal to cooperate on the boxcar shortage. Also, I think their recommendations to Railpax were quite sound. I think the Congress has been too lenient. I believe that the time has come when we must give a very thorough and serious look at the transportation industry.

It was for these reasons that I introduced legislation, S. 649, to abolish the Interstate Commerce Commission, and S. 1380, requiring the return of certain Federal land grants by the railroads when they abandon transportation services. I ask that the Committee on Commerce give these transportation problems immediate attention and schedule public hearings on these legislative proposals and associated problems. As Chairman of the Committee, you are in the position to do a great service to the nation in helping to preserve an adequate surface transportation system.

With best personal wishes, I am,

Sincerely yours,

MIKE MANSFIELD.

THE PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

AMTRAK

Mr. MANSFIELD. Mr. President, at that time unless satisfaction is received, the resolution will be brought up for consideration. If it can be brought up, I want to serve notice on the Senate that it is the intention of the two Senators from Montana to do everything in their power to look after the interests of the people of Montana and to look after the interests of our section of the country.

Mr. PROUTY. Mr. President, may I say that I am very sympathetic to the Senator's position. We have a similar problem in northern New England. However, we must remember that contracts have been entered into and are binding with 20 major railroad systems in this country.

I believe that we will be involved in lawsuits. I am not a lawyer. I cannot get into the legal technicalities. However, obviously we can have lawsuit after lawsuit. The Federal Government, I would think, would have to honor these contracts which are now completed.

It is not my intention to do anything to discourage the maintenance of adequate train service in Montana or in my section of the country.

THE PRESIDING OFFICER. The Senator from Montana referred twice to this measure as a resolution. It has been submitted in the form of a bill. Since different ramifications follow, the Chair would appreciate clarification as to the Senator's intention.

Mr. MANSFIELD. Mr. President, the measure will be introduced in the form of a bill, and will thus have the effect of law if and when enacted.

THE PRESIDING OFFICER. The bill will be appropriately referred.

Mr. MANSFIELD. Mr. President, since as a bill it will have to be referred, I would prefer its consideration tomorrow as a resolution coming over under the rule. It is therefore a resolution. If it can later be worked out to consider this proposal as a bill today or tomorrow I shall hold open that option.

THE PRESIDING OFFICER. The resolution will go over under the rule, objection having been heard to its immediate consideration.

Mr. MANSFIELD. Mr. President, I was interested in the remarks of the distinguished Senator from Vermont because, as far as I can see, he has no chance of getting any service under any circumstances. Railpax would not operate there. Maine, Vermont, and New Hampshire have lost their service over the years past. However, as far as Montana and the Midwest are concerned, the Heartland of America, we will lose what we have already paid for, what the Government paid for in the form of land grants. And as far as I can recall, the G.N. and the N.P. Railroads have not been operating at a loss, as have some of the eastern railroads such as Penn Central.

There is a great need, as my colleague has brought out, to take care of the needs of our veterans and college students and

80 percent of our people, not only in connection with the NP, but also along the short line from Butte to Salt Lake City.

I would like the Senator to know that I concur completely in the remarks of my distinguished colleague, as he has worked night and day to bring about rectification of this situation.

I would like to state that in my opinion what Railpax, now Amtrak, has done is not to follow the intent of Congress, but to place emphasis on the urban areas of this Nation and to ignore the rural sections of the country.

Let me read, if I may, an editorial from the Billings Gazette of April 25, last Sunday. It is written by an old student of mine at the university, Doc Bowler, a good friend of my colleague's. He is editor of the Gazette.

I read what he says:

The end of an era will come to Billings next weekend unless Congress can be prevailed upon to delay the start of Railpax.

Railpax, or AMTRAK as the new national railroad passenger corporation is known, starts operation May 1 in what well may spell the doom of the passenger in much of the nation.

In southern Montana, Wyoming, South Dakota and most of North Dakota and Idaho, Railpax spells The End. That's all.

It doesn't have to happen and it shouldn't happen. Vast segments of the nation should not be left without passenger train service.

Where Railpax chiefs got their figures on passenger travel, and what they are for that matter, is unknown. It can be presumed, but not certified, they got them from the railroads that had been hauling passengers.

Railpax tells us that the northern route was chosen across Montana because of more ridership, whatever that means. At this writing the term has not been given definition or explanation.

It certainly is not advocated here that the northern route across Montana and North Dakota be abandoned in favor of the southern, more populous, route. Both are needed.

That expresses the feelings of my colleague and me. I continue to read:

There is good reason to believe that high officials of the Burlington Northern were just as amazed as most people in the area when they learned, along with the rest of us, that only the northern or Hi-Line route would be used.

Insiders thought both would be used, perhaps on alternate days, to serve both Yellowstone and Glacier parks and the people of the areas. The Interstate Commerce Commission recommended it.

The Interstate Commerce Commission, of all groups, recommended it.

I continue to read:

Whether Congress will be responsible to the will of the people is not known. Energetic forces are at work in Montana now to seek a delay in Railpax starting May 1. Another 90 days is sought in which to make a case.

Senators Mike Mansfield and Lee Metcalf and Representatives John Melcher and Dick Shoup are trying to persuade their fellow congressmen that Railpax is not doing what it said it would. More time is needed.

It was, as one of them states, the intent of the Railway Passenger Service Act to bring about rejuvenated passenger service that would replace deteriorating and stagnant facilities that the majority of railroads in this country are seemingly unable and unwilling to improve.

That is not what is happening under Railpax.

In the Burlington Northern's area alone the number of passenger trains is being cut from 32 to 6 and the daily train miles from 26,972 to 6,858.

Get that. The number of passenger trains is being cut from 32 to 6 and the daily train miles from 26,972 to 6,858.

I continue to read:

That could hardly be called an improvement.

Railpax appears to be concentrating on long-distance trains, like Chicago and Seattle. That isn't what is needed in this area or for that matter much of the west.

We need local service and clean, comfortable trains.

Admittedly, there are few who want to spend 24 hours getting from Billings to Chicago or a few hours less to Seattle. You'll fly. But try Wilbaux. Or Chester. Or Thompson Falls.

Dr. Shelby.

The Billings Chamber of Commerce, headed by President James Corning, is deeply involved in trying to preserve railway passenger service along "The Main Street of the Northwest," the southern route.

He is right when he says "we feel it is mandatory that the public have an opportunity to both hear and be heard before this 90-year old service is terminated." That is why a postponement is needed in Congress.

The Northern Pacific's first train crossed the Yellowstone River into Billings Aug. 22, 1882.

That, I believe, was 7 years after the battle of the Little Big Horn, at which Custer was massacred.

The renowned North Coast Limited began its steaming through the Yellowstone Valley in 1900. The Vista Domes came in 1954.

And now Railpax, May 1, 1971, spells the doom of the oldest name train in the west, a train not even the Burlington Northern asked to discontinue.

It is going to cost the Burlington Northern \$33.4 million to shed its passenger trains in the contract it has signed with Amtrak (Railpax). The figure is based on 50 percent of the railroad's passenger deficit for 1969.

It is going to cost most of the people of the area railway passenger service that Railpax purportedly was to improve.

And that is what Congress thought when it passed this bill.

In the words of Senator Metcalf "I can only recommend to the Defense Department that it set up a Railpax for the Ho Chi Minh Trail. It would be cheaper, save lives and probably be more successful in stopping traffic."

Mr. President, I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I have had further consultation regarding the parliamentary situation and in behalf of my distinguished colleague, the Senator from Montana (Mr. METCALF), and myself I introduce a bill and ask for its first reading. I do so as a means of keeping this issue alive in the form of a Senate bill. I would like action today but I am not unmindful of the parliamentary rights and privileges of other

Senators. I would hope for action tomorrow.

The PRESIDING OFFICER. The clerk will read the bill.

The assistant legislative clerk read as follows:

S. 1698

A bill to postpone for seven months the date on which the National Railroad Passenger Corporation is authorized to contract for provision of intercity rail passenger service; to postpone for seven months the date on which the Corporation is required to begin providing intercity rail passenger service, and for other purposes.

Mr. PROUTY. Mr. President, I object to further consideration of the bill.

The PRESIDING OFFICER. Second reading will go over until the next legislative day.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator yield briefly?

Mr. BYRD of West Virginia. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to withdraw the resolution previously introduced, in favor of the bill S. 1698, just introduced.

The PRESIDING OFFICER. Without objection, the resolution is withdrawn.

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RAILPAX PLAN AND MONTANA

Mr. President; when the National Railroad Passenger Corporation announced the details of the unified passenger system, I was amazed and shocked with the total lack of understanding and consideration given to the less populated, rural states in the Nation.

When the Congress enacted legislation establishing this new corporation, it was done to bring about a new vigorous approach to railroad passenger service as a replacement for the deteriorating and stagnant passenger service provided by the majority of the railroads in the country. Railroad passenger service has been reduced to such a state that something had to be done to preserve this mode of transportation. If this recent announcement is any indication, the corporation is merely perpetuating what we had hoped to replace.

Fifteen years ago, passenger service was available on three transcontinental railroads through Montana. In recent years, this has been reduced to service on the old Northern Pacific and Great Northern lines. Under the Railpax plan, the only passenger service would be on the Great Northern line, across the Northern edge of Montana. Two-thirds of the State will be without rail passenger service, Montana's six largest cities will not have access to rail service and it will be over three hundred miles from any point in Montana to a rail depot.

In the past several years there has been a great deal of conversation about the migration of Americans from rural areas to metropolitan centers. If we are to make a sincere effort to reverse this trend, the Railpax plan is not going to help. The route selected through Montana gives every indication of what I feared might happen. It gives primary consideration to the railroad corporation, not the

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needs of the traveling public. This route through Montana is the shortest and the least costly to maintain. This supports my fear that the Burlington Northern views Montana as a necessary roadbed between the Twin Cities and Seattle. I fear that there will now be reductions in freight service on the Northern Pacific lines, now that they will not be required to maintain these roads for passenger trains.

As my colleagues here in the Senate know, I have been objecting to the reduced services offered by the railroads for a number of years. I still believe they have purposely reduced their services and discouraged public use of their lines, in an effort to bring about abandonment of their responsibilities in passenger service. The Railpax Plan, appears to support this philosophy and I do not see how it can provide a suitable alternative.

It is quite ironic, that the Congress is considering the appropriation of billions of dollars for the Super Sonic Transport to fly people to Europe and other parts of the world in less than four hours, when it will be virtually impossible to get out of Montana by public surface transportation in order to take advantage of Super Sonic travel. The corporation officials may feel that the remainder of Montana has adequate alternatives of public transportation. However, I wish to remind these officials that air service does not include many of the smaller cities and at some points, the airlines are attempting to reduce their schedule. Bus lines offer about fifty percent less public transportation than they did a few years ago. Under the Railpax Plan, Montana does have one line which will be available to very few people, but I am certain that constituents in the States of Idaho, Wyoming and South Dakota, find this plan even less comforting.

Originally I had felt that the National Railroad Passenger Corporation could

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be the answer to the deteriorating surface transportation needs of our nation, I realize, that we can economically maintain railroad passenger service now available without a tightened up system aided by improved service for the traveling public.

In the State of Montana, we could have survived reasonably well, with alternate-day service on the Northern Pacific and Great Northern lines, between the Twin Cities and points in Montana, even if on a reduced basis. Also, in looking at the map of the new improved passenger routes, there is not one North-South connection between Chicago and the West Coast. The Corporation throughly ignored such existing routes from Butte to Salt Lake City.

For sometime I have been considering a plan to require the railroads to abide by their public responsibilities and today I have introduced legislation which would require railroads who benefited by land grants, to return all these lands to the federal government, where they have abandoned rail services. On the surface, this may appear to be a drastic measure, but these railroads were given the original land grants as an insentive to provide railroad services to the people of the United States. If they abandon this intention, I see no reason why they should benefit from the land grants. It is my distinct impression, that in many instances, the railroads are more interested in investments and benefits associated with these lands, than they are with the business of running a railroad.

Mr. President, I ask unanimous consent, to have printed with this part of my remarks, the proposed amendment to the Railroad Passenger Service Act of 1970.

Before concluding my remarks today, I wish to express my opposition and views on another matter. The Inter-State Commerce Commission has authorized Eastern and western railroads to increase their currend freight rates by about 11.8%, with-

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out any comments or controls over deteriorating service. Here again, we see an example of the reasoning why I have advocated the abolishment of this regulatory agency, or a comprehensive overhauling of the agency. If the railroad industry is in as serious condition as they would like us to believe, they certainly still have a great deal of control over those who should be assisting and counselling them on their future.