

Mr. BROWN. Is there any conclusion thus far that perhaps the incentive is not high enough or that there might be another incentive put on in a negative way to charge the railroads for mishandling or loss of freight cars? I shouldn't say "loss"; perhaps I should say "mislaying or misdirecting" of freight cars.

Mr. TIERNEY. We felt we did not have sufficient data or information upon which to base a report.

Mr. BROWN. Have you any idea when you might come to a conclusion on this problem and advise the railroads, the Congress, and private industry?

Mr. TIERNEY. The best I can say now is that we hope to begin hearings before the end of this year.

Mr. BROWN. The ICC will have hearings on the problem?

Mr. TIERNEY. That is right, sir.

Mr. BROWN. They will begin before the end of this year?

Mr. TIERNEY. That is correct.

Mr. BROWN. In other words, train shippers face another summer of difficult problems with their freight cars?

Mr. TIERNEY. We hope not, sir.

Mr. BROWN. You said at the end of this year. That means another summer.

Mr. TIERNEY. I am not relating that to the incentive per diem basis. It will still be the end of this year. We don't see how we can get to it before then.

Mr. BROWN. Why is that?

Mr. TIERNEY. It is because of the tremendous problem in developing data.

Mr. BROWN. I think this relates, Mr. Chairman, to this whole problem. We must have more efficient handling of freight cars so that shippers have more confidence in the ability of the railroads to move cars where they are needed when necessary. Until we can escape problems which exist in many grain-producing areas of dumping the grain on the ground because of lack of storage facilities, and the lack of cars to get the grain to these storage facilities, there is a great likelihood that the railroads will lose business to other means of transportation—business which will never return because of the inability of the railroads to provide adequate service at peak needs.

If that happens, certainly our passenger transportation system is going to be derogated in a similar way. The whole thing ties together. I am not sure whose responsibility it is but I gather it is the responsibility of the Interstate Commerce Commission to try to set regulations to take care of the public convenience and necessity. However, it certainly seems to me that this country's railroads have a responsibility to try to maintain their own economic position in a time when they are being oppressed, not only by Federal regulations, but also by other means of competition.

Are you going to undertake this responsibility, then, in your service as Chairman of the Commission?

Mr. TIERNEY. I am going to undertake my responsibilities; yes, sir.

Mr. BROWN. Thank you.

The CHAIRMAN. Thank you, Mr. Chairman, for coming before the committee. We appreciate the time you have given us.

Mr. TIERNEY. Mr. Chairman, we may have one problem on one of your questions with respect to the authority to take the train off