

commission or agency be given 180 days within which to act favorably on an intrastate train discontinuance which H.R. 18212 changes to 7 months. In order to assure that the provisions dealing with burden of proof, judicial review, et cetera, refer to all Commission proceedings, whether under section 3a(1) or section 13a(2) lines 23 to 25 of page 6 and lines 1 to 3 of page 7 provided that:

Upon the filing of such a petition, such discontinuance or change shall be subject to all of the provisions of paragraph (1) of this section to the same extent as if the subject train or ferry operated as described in the first sentence of paragraph (1) of this section.

In connection with this sentence, we wish to call the committee's attention to the language of H.R. 18212 which, if not corrected, could create some confusion with regard to the handling of a petition under this section which involves the last intrastate train. Although the so-called last train amendment in section 13a(1) is specifically intended to cover only interstate service, the present wording of our proposed change in section 13a(2) might be construed as rendering it applicable to intrastate service as well. Since this result is not intended, we suggest that the following be added after the word "section" in line 3 on page 7:

provided, That, the first, second, and third provisos of the eighth sentence in paragraph (1) of this section shall not apply to petitions filed with the Commission under this paragraph.

Seventh, this bill contains the substance of our original recommendation to specifically provide for judicial review of all of the Commission's orders issued under either section 13a(1) or section 13a(2).

Section 2 of the bill incorporates our suggestions for a study of intercity rail passenger service to be conducted by the Secretary of Transportation. We believe that this recommendation is the nucleus of effective Federal policy for intercity rail passenger service.

Defining the future role of the intercity passenger train and the means to obtain that level of service will not be an easy task. No proposal will be popular to both the carriers and the traveling public. The hour is late, Mr. Chairman. This may well be our last opportunity to begin the necessary redefinition of our Federal policies on intercity rail service before significant segments of that service are abandoned. The Nation's future transportation needs are too great and our existing resources too limited to allow rail passenger trains to disappear without a thorough review of their potential.

That, Mr. Chairman, concludes my prepared statement. I will be delighted to answer any questions.

(The document referred to, "Intercity Rail Passenger Service in 1968," follows:)