

existing law depends. And second, the discontinuance of interstate service has been obtained in piecemeal fashion by carriers receiving approval from a state agency for a portion of the run and then submitting the balance to the Commission or to other states. When the portion discontinued under state law is essential to the continued viability of the entire operation, the Commission is faced in subsequent 13a(1) proceedings with a portion or portions of a train, the operation of which is a burden and which the public has abandoned because of a break in the through service.⁴³ In 1958 there was a general feeling that some states were too restrictive in permitting the elimination of unnecessary deficit trains. However, today the situation has changed to the point where some state actions have forced the curtailment of trains that might otherwise have been retained. If the Commission is to preserve a minimum level of service pending the completion of the study and the formulation of a new policy, this change is essential.

Section 2 of the bill incorporates our suggestions for a study of intercity rail passenger service to be conducted by the Secretary of Transportation as discussed earlier.

As a temporary measure, we further recommend that the Post Office Department consider curtailing any additional reductions in mail contracts involving passenger trains for two years. Loss of the

⁴³ New York Central R. Co. -Discontinuance of Trains, 331 I. C. C. 616 (1968).