

train, although it be the last train, you would not have jurisdiction over that?

Mr. TIERNEY. If it is an intrastate train, sir, the states would have the initial jurisdiction. If the state did not permit discontinuance, the carrier could then apply to the Commission as under the present law. But if it is a segment of the last interstate train within a State, we would have sole jurisdiction over that operation.

Mr. WATSON. What would be the criteria for determining whether or not it is really an intercity-intrastate operation or whether it is a segment of a national interstate operation?

Mr. TIERNEY. If it is a train which begins and ends within a State, it is intrastate; but if it is part of a train which begins in one State and ends in another State or in a foreign country, it is interstate.

Mr. WATSON. Yes, sir; go ahead.

Mr. TIERNEY. That is all, sir.

Mr. WATSON. Do you anticipate, should this legislation pass and you have this authority, that you would attach certain conditions or stipulations upon any of your orders as to what might be required on that particular service or that particular line?

Mr. TIERNEY. As to the last train, this provision would provide the Commission with that authority, sir.

Mr. WATSON. To provide so far as, or spelled out as, to what might be required in terms of passenger facilities?

Mr. TIERNEY. That is right, sir.

Mr. WATSON. In terms of crew and such as that?

Mr. TIERNEY. In a sense that might be involved; for example, if it required a certain type of car, a crew would be involved in the situation. But this proposal, as to the last train, would give the Commission the authority. To impose minimum standards of service as indicated earlier in my remarks.

Mr. WATSON. And you could require that this train had certain sleepers, certain dining facilities, and certain other facilities?

Mr. TIERNEY. That is right, but, as we explained, this would really be a situation for us to determine in accordance with the facts. What service the public needs and will support and the costs of that service to the carrier. It would depend entirely on the circumstances. But it would give us the power to do that, Mr. Watson, in the event we felt the circumstances warranted it as to the last train.

Mr. WATSON. Actually, don't you think the primary factor involved in the decline of rail passenger service is the fact that people are resorting to a faster means of travel, the airlines, and such as that, and the fact that the Federal Government itself has pulled off so much of the mail service from the trains which has further aggravated the financial problem?

Do you think that these things have had a definite effect upon the decline of the use of rail as a passenger means of travel?

Mr. TIERNEY. There is no doubt in my mind at all, Mr. Watson. They have had an impact, no doubt at all. They have.

Mr. WATSON. But you still conclude it would be advisable for us to move forward in this area without waiting for your final study. Would not it be a better means of giving you the authority to make the study and later on report back, when we look at the total picture?