

regulatory agencies (Civil Aeronautics Board, Federal Communications Commission, Federal Maritime Commission, Federal Power Commission, Federal Trade Commission, etc.).

Under present law, judicial review of orders of the Interstate Commerce Commission is unique in that such orders are reviewable by special statutory three-judge United States district courts. The decisions of those courts with respect to ICC orders are then reviewable, in turn, in the Supreme Court by appeal (not by way of petition for writ of certiorari). The proposal here is to have the Commission's orders judicially reviewed in the United States courts of appeals, with Supreme Court review only by writ of certiorari.

We favor this proposal. We believe that the courts of appeals would, on the whole, constitute a more satisfactory forum for reviewing ICC orders than is provided by three-judge district courts. The courts of appeals are accustomed to the review of orders of Federal agencies, and have a background for that type of case. Most district judges, on the other hand, are confronted only infrequently—if at all—with such cases.

Moreover, the courts of appeals have rules applicable to judicial review proceedings. There are no such rules in the case of three-judge district courts. Each case in these special courts develops its own rules, so to speak. This, understandably, leads to a certain amount of uncertainty and even confusion.

S. 2687 is a comprehensive measure that would make the changes I have already mentioned and that would, at the same time, deal in what seems to us to be a sound and constructive way with such important related matters as venue, limitations, the record of review, stays, interlocutory injunctions, etc. The Association of American Railroads supports the bill and urges its favorable consideration.

The CHAIRMAN. Mr. Vernon V. Baker, Motor Carrier Lawyers Association.

STATEMENT OF VERNON V. BAKER, CHAIRMAN, LEGISLATIVE COMMITTEE, MOTOR CARRIER LAWYERS ASSOCIATION

Mr. BAKER. Mr. Chairman, I have a prepared statement which I should like to read.

The CHAIRMAN. You may proceed.

Mr. BAKER. My name is Vernon V. Baker. I am a member of the law firm of Baker and Raley with offices in this city; and I am appearing here in behalf of the Motor Carrier Lawyers Association. The association is grateful for the opportunity of presenting its views to this committee.

The Motor Carrier Lawyers Association, founded shortly after enactment of part II of the Interstate Commerce Act, has more than 450 members, domiciled throughout the United States and Canada and specializing in practice before the Interstate Commerce Commission.

As the name of the association implies, the major interest of most of the members of the association is in the representation of motor carriers.

At its annual conference in Detroit, Mich., held in May of this year, the membership devoted much time to an analysis and discussion of H.R. 13927 and the companion Senate bill, S. 2687.

After thorough discussion, the association voted to oppose these bills, and I have been directed to present its views to your committee.

I am certain that the witnesses who preceded me will have discussed in detail the changes in procedure which would be effected by enactment of S. 2687. Thus, I will not burden you with repetition concerning the details of the bill.

The most important and basic change which is proposed in the bill is the transference of jurisdiction in respect of judicial review of ICC