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RETURN REQUESTED

SOME VICTORIES!

Existing Amtrak trains will operate at least until October 1, 1979, if the House and Senate give normal routine approval to the agreement on Amtrak's FY '79 authorization reached Aug. 3 by a House-Senate conference committee.

Meanwhile, the ICC denied SR's application to drop the "Southern Crescent", requiring continued operation at least until Aug. 4, 1979, and SR has asked the U.S. Circuit Court of Appeals in Richmond, VA, "to set aside the Commission's Order on the grounds that it is arbitrary and capricious, unsupported by substantial evidence, and otherwise not in accordance with law." And two Senate committees approved both the Administration's plan to improve Washington Union Station and $30 million for building an adjacent intercity bus terminal. It appears the main obstacle to the rail improvements is Rep. Harold T. (Bizz) Johnson (D-CA), House Public Works Committee Chairman, who seems determined to complete the National Visitor Center as originally designed in 1968. OMB might torpedo the Senate's added funding, knocking out the rail improvements or the bus terminal depending on the reaction of Congress.

The prohibition against train discontinuances approved by the conferees came from the House bill and carries two exceptions: existing trains can be rerouted, so Amtrak is free to send the "Floridian" through Atlanta; and state-subsidized services can be discontinued where a state fails to pay or requests discontinuance.

The conferees also approved:

- authorization of $600 million for operations and $130 million for capital improvements (both figures from the more generous House bill); and $25 million for debt reduction;
- automatic implementation, starting Oct. 1, 1979, of the Secretary's Final Report on the route structure, *unless* the House or the Senate passes a resolution of disapproval within 90 legislative days after the Final Report is received (it is due Dec. 31, 1978), in which case the Secretary would have to submit a "revised recommendation" within 45 days after adoption of such a resolution; (implementation must be completed within 12 months after a plan is approved). The conferees' statement makes clear that Congress could reject the revised recommendation(s) as many times as it likes, each rejection to be followed within 45 days by submission of a new revision. The statement also says: "...the conferees wish to point out the importance of tourism and the impact rail passenger service may have on the tourism industry. Many States, particularly in the West, do not exhibit high concentrations of populations, but rely heavily on tourism to

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NARP members are welcome at the Pendleton, OR, meeting of the Oregon Association of Railroad Passengers Sat., Sept. 23, at 4 PM (after arrival of #26 from Portland)at 920 SW Frazer St., 3 blocks west of the station. There will be a meeting of NARP Region XIII at 7:30 PM.

From September 6 through next May 25, Amtrak round-trip coach and sleeper fares are slashed for most trips at least 250 miles one-way on the same train. (Children under 12 pay one-half the special rate.) You pay the regular fare going, but the return is only $5 where the one-way is $24.99 or less; $10 where one-way is $25-$49.99; $15 where one-way is $50-74.99; and $20 where one-way is $75 and up. The most dramatic discount would be for a Chicago-Oakland trip, where the coach round-trip would be $145 and the roomette $303, discounts of 42% and 26%, respectively. (The discount applies only to the rail fare, not to room or club seat charges; the rail fares are those in effect April 30, 1978.)

The new plan does not apply locally within the Northeast Corridor (including Springfield-New Haven, Albany-NY, and Harrisburg-Phila.), where existing discounts will continue. Elsewhere, the new plan generally replaces existing discounts for trips over 250 miles, except in some cases on the "Adirondack" route where additional new discounts are starting.

The new plan applies to trips under 250 miles where the round-trip fare would otherwise be higher than the new plan fare to a more distant point on the same line. For example, it applies to Chicago-Tomah, WI (240 miles) because the new bargain rate for Chicago-La Crosse (281 miles) would otherwise be cheaper.

On most long-distance trains the new plan is good for 40 days after purchase, with some reductions in the number of seats sold during peak periods, and no first class tickets sold Nov. 20-27, Dec. 15-Jan. 8, Feb. 9-19, and Apr. 6-15; also none Feb. 22-28 on the "Panama" and "Sunset"; and none on the "Montrealer" until Apr. 16.

Excursion tickets will be honored for 35 days after purchase on short and medium-distance routes and on the "Cardinal" and "Pioneer", and will not be honored Nov. 22-26, Dec. 21-26, Dec. 28-Jan. 2, and Apr. 13-15.

Some of the complexities in the new plan result from limitations imposed by Amtrak's computer.

Family fares are also made more attractive at least until May 25, 1979: spouse and children 12 to 21 pay 50% instead of 75%; children 2 to 11 pay 25% instead of 37½%. U.S.A. Rail Passes drop to $169 for 14 days, $219 for 21 days, and $259 for 30 days, and the family pass discounts continue.

New bargain fares are starting for Chicago-Milwaukee and -Champaign, and DC-Martinsburg and -Fredericksburg.

Woodruff M. Price, special assistant to Secretary Brock Adams, was to leave DOT on Sept. 9 to become Vice-President—Washington affairs with Seaboard Coast Line Industries, Inc. 'Woody', a longtime aide to Adams, served as NARP executive director 1969-71.

THE END OF THE ROAD

The U.S. has 50% of all the motor vehicles in the world. Our reliance on automobiles and trucks is still increasing, despite safety, economic, environmental, and energy problems. Over 5 million people are killed or injured in automobiles each year. Although big trucks are less than 1% of the vehicles on the road, the percentage of highway fatalities involving them was 7.8% in 1975, 8.8% in 1976, and 9.4% in 1977. A DOT study released March 17, 1977, found that "motor vehicle accidents cost American society nearly $38 billion annually, in terms of deaths, injuries, lost income and property damage." (DOT news release)

Rail freight volumes go up and down—lower in 1977 than in 1974—while truck volumes rise steadily. From 1970 to 1977, truck revenue ton-miles rose 33.3%, to 549,000, while the rail increase was only 7.8%, to 831,000. The rail share of the freight market is steadily declining; the truck share is rising almost as steadily. From '70 to '77, the rail share dropped from 39.8% to 36% and trucks rose from 21.3% to 23.8%. (AAR 1978 Yearbook of Railroad Facts)

The railroads have lost most dramatically on high-revenue merchandise traffic so that by 1974 "truck transport accounted for . . . a full 77% of national freight costs." (*The End of The Road*, pp. 15-6) Now, trucks are challenging rail's traditional stronghold—long-haul carriage of bulk commodities. For example, large numbers of trucks are carrying lumber distances over 2,000 miles.

The Buffalo-Detroit portion of the "Niagara Rainbow" will make its last trips Sept. 30, since the Michigan subsidy is being withdrawn. Amfleet equipment never came.

And a current national survey of long-haul trucking operations found the average shipment of metallic ores traveled 1,400 miles. As early as 1971, it was estimated that the cost of misallocation to trucks of freight which could more economically have been handled by rail was $8 billion/year.

Passenger trains would never have good tracks if these trends continued. The existing highway system makes things look bad enough—particularly the more than 39,000 miles of Interstate opened in the past two decades, many segments of which have more favorable alignments than paralleling railroads built years earlier with less advanced techniques. Since most railroads can't afford to improve their own alignments to remain competitive,

John P. Fishwick, president and chief executive officer of the Norfolk & Western Railway, "thinks that the most reasonable way to save the railroad industry from nationalization is to nationalize more track. . . .

"'Trucks pay 5% of their revenues to operate over interstate highways, but it costs the railroad 23% of their revenues to provide their own rights of way.

"'Conrail is a long way from being a private enterprise, and I don't think it ever will be. . . . We ought to start thinking about what we will do if Conrail goes back to Congress in a few years for another $2 to $3 billion.' The solution that Congress should consider, Fishwick argues, is to nationalize the track—not the railroads—east of Pittsburgh.

"'The government could then treat them (the tracks) as a highway and let various railroads operate over them. If a shipper wanted service and the railroads operating over government track didn't want to provide it, the shipper could operate his own trains,' Fishwick said."

—Chicago Tribune, August 15, 1978

and the legal and political complexities of putting public money into privately owned rights-of-way are so formidable, the railroad lines have generally stayed put.

Cheer up, things will get worse. There are over 3,000 miles of the Interstate network alone which have yet to be opened, not to mention many miles of added lanes for existing highways.

The Federal Highway Trust Fund is fueled by excise taxes on gasoline (4¢/gallon), rubber, and heavy vehicles and reserved for highway construction and related purposes. There are similar state taxes and trust funds, Delaware being the only state where gas tax revenues are placed in the General Fund for any valid state purpose.

Most public funding, including all aid for the rails, must clear two legislative hurdles: authorization and appropriation. But the Federal Highway Administration obligates funds *before* they are appropriated, relegating the appropriation function to one of rubber-stamping the payment of debts already incurred.

We learn this in *THE END OF THE ROAD, A Citizen's Guide to Transportation*, by David G. Burwell and Mary Ann Wilner, published last year by the National Wildlife Federation (1412 16th St., NW, Washington, DC 20036) and Environmental Action Foundation (1346 Ct. Ave., NW, Washington, DC 20036), and available from either group for $3.50 (lower for quantities 10 up).

The book is a valuable tool not only for highway fighters but for anyone who is actively working to promote balanced transportation. The section on "Organizing" contains excellent advice on writing news releases and dealing with reporters, and this superb observation about lobbying: "Don't simply present problems to the people you are lobbying—propose alternatives. Make it easy to say *yes* to your requests. If you keep in mind that the vast majority of people, including politicians, want to say yes, don't want any extra work, and would like either credit for finding a solution or some other payoff, you can tailor your lobbying activity accordingly. Straight power plays, the 'us against them' approach, rarely work unless you have such organizational strength that 'they' will be forced to back down. But even if 'they' do, 'they' will resent it and will be of little help in future efforts."

As its introduction states, this book "will first explain how we as a nation have reached the point where costly, unnecessary, unwanted, and environmentally destructive highway construction is meeting opposition from whole communities. Second, it will guide you through the maze of transportation planning, explain the logic behind the rules, and suggest where you as a citizen can get involved to help shape the transportation policy of your community and state. Third, it will explain how to monitor a specific highway proposal, and how to organize support for an alternative. Finally, it will survey the possibilities for legal action, should this tactic be necessary to buy time and build momentum towards a better solution."

The book identifies the plans which state and local governments must file, and which agencies must approve them. Some of these documents can give you an early alert to new highway projects, improving your chances of stopping them.

Unfortunately, highway fighters must work almost exclusively with procedural requirements because neither state nor Federal law yet contains substantive criteria, such as "minimizing energy usage". But there is an impressive array of procedures which have been successfully harnessed to block, delay, or modify highway construction. This list of the primary tools used in litigation also indicates the various approaches which *might* permit you to achieve success without going to court: National Environmental Policy Act; Federal Aid Highway Act (Sec. 128, public hearing requirements; Sec. 136(b), noise control); Noise Control Act; Transportation Act of 1966 (Sec. 4(f), protection of parks, recreation areas, historic sites, and wildlife refuges); Clean Air Act; Federal Water Pollution Control Act; Endangered Species Act; Safe Drinking Water Act; Civil Rights Act; Historic Preservation Act; Executive Order 11988, Flood disaster protection; Fish and Wildlife Conservation Act; Protection of the planning process under requirements established by the U.S. DOT and in some laws.

The Clean Air Act, as an important example, requires each state to attain air quality standards for six pollutants, "four of which are primarily the result of automobile emissions. Each state is required to establish an EPA-approved state implementation plan (SIP) for achieving these standards. The SIP must include controls over direct sources . . . (such as smokestacks)" and indirect ones "including facilities which attract automobiles, such as shopping centers, parking garages, and highways. In heavily polluted urban areas each state is . . . required to develop controls over automobile usage (called transportation control plans, or TCPs) as part of the SIP." Indeed, one of the forces behind Houston voters' Aug. 12 approval of adding one cent to the sales tax for transit improvements was the threat that, without reductions in auto exhaust, air-pollution standards would force new industries to locate elsewhere.

Another important Federal law, passed in 1962, requires urban areas over 50,000 to establish "a continuing, comprehensive transportation planning process carried on cooperatively by States and local communities"—the "3C" process. The Secretary of Transportation must freeze federal planning and construction funds if he finds that such a process does not exist.

The authors note that "the 3C process presents a potentially powerful access point for citizens. It requires that each urban area

Our thanks to all NARP members and friends who went to an RSPO hearing or submitted testimony. More on this next issue. For now, bask in the reflected glory of the second paragraph of a 3-page report on the hearings sent by the American Bus Association to its members (not all of whom agree with its anti-Amtrak stand!): "As expected, the basic hard-core apologists for Amtrak turned out strongly led by the National Association of Railroad Passengers, chambers of commerce, and bureaucrats and elected officials on the local, state and federal level."

establish a Metropolitan Planning Organization (MPO), comprised in part of 'principal elected officials of general purpose local government,' to do comprehensive transportation planning."

The products of this process, all reviewed annually, include a Transportation Plan (long-range) which "sets the basic transportation policy for the area"; the Transportation Improvement Program (TIP) (3-5 Year) which lists projects for implementation in that timespan; the TIP (annual element) which includes improvements slated for action in the upcoming year, some of which can be brand new and not previously included in the 3-5 Year plan.

Finally, there is the "TSM" (Transportation Plan—Systems Management) which "explains how efficient use will be made of existing facilities . . . preferential bus lanes, bikeway programs, changes in tolls and fare structure, and carpooling." NARP members might use this to argue for commuter rail service making maximum feasible use of existing tracks. According to the June 20 *Atlanta Constitution*, Richard Page, head of the Urban Mass Transportation Administration, told a transportation workshop at the Atlanta meeting of the U.S. Conference of Mayors that "his agency would consider a request for funds to incorporate unused tracks into a city's transportation system. He said UMTA is putting greater emphasis on better use of existing transportation facilities instead of relying on new 'gimmicky' modes of transportation." UMTA should be pressed to include "underused" tracks as well.

Rural projects are found in: Your state's Federal Program of Projects, listing all planning and construction activities using Federal funds, and compiled annually and approved by the DOT; corridor or system studies, made before a firm decision has been reached to propose a highway; and the State Program of Projects (in most states) listing all projects whether or not Federally funded.

The End of the Road tells you how to analyze these documents and what to do with your comments.

Sen. Henry M. Jackson (D-WA) writes in the Foreword to *The End of the Road* that "significant changes in basic public policy generally work their way *up from* and not *down to* the people."

David Burwell, in a letter to your editor, suggests that the big change in transportation policy will start in urban neighborhoods, not in Congress. He notes that a 1976 study of the Washington, DC, area found that "by far the most effective means of changing driving habits is to impose parking controls, from the elimination of commuter on-street parking to the elimination of monthly parking rates. These strategies are, by an order of magnitude, more effective in getting people out of cars and into transit than

U.S. PARKING SUBSIDIES

"Requiring federal workers each month to pay the prevailing commercial parking rate of about $60 instead of the zero to $5 or $6 a month they pay now" and turning over the resulting increase in revenue to help pay transit operating deficits is proposed in a new financial plan developed by a Washington (DC) Metro board committee at Secretary Adams' request. (Washington Star lead article, Aug. 17) "The Metro plan says that the federal government now spends about $20 million a year subsidizing parking for its workers and will be spending about $38 million by 1990. . . . The (Metro operating) deficit for the most recent fiscal year was $63.3 million. . . .

"The proposal also would equalize what now 'tips the balance for a person away from transit and toward the automobile,' and would cause many of the workers to take public transit, the report declares.

"'We have a president who says we have to conserve energy, and to allow a federal employee to pay $6 a month for parking is totally inconsistent with that,' pointed out D.C. Transportation Director Douglas H. Schneider, Jr. . . . .

"'It's not just a matter of the federal government giving away free space,' Schneider said. 'The federal DOT pays $1 million a year for parking in the Nassif building (where DOT is located). If there's somebody down there who can't see the hypocrisy of that, then we're in the wrong country.' . . .

"'We think the principle is very important,' Metro board chairman Joseph S. Wholey said. 'The federal government should not be subsidizing a competing mode and then turning around and shaking its fist at our high operating subsidies.'"

Although Adams now "agrees with the goal of completing" the 100-mile Metrorail system, the Star's night final edition reported he "was lukewarm" toward the parking charge proposal. "He said he thought the federal government might move slowly in that direction, by allocating the spaces to carpools with at least three riders, and by increasing the rates somewhat. But he opposed Metro's plan, he said, because he did not believe it could get through Congress."

Actually, parking spaces for lower level DOT employees are already restricted to carpoolers, but "paper carpools", where car drivers find transit users willing to sign up as fictitious carpool passengers, are common. DOT employees pay $7/month for parking, but the 9,600 spaces at the Pentagon are free as are the 9,606 spaces shared by the Supreme Court and the Congress.

NARP members might suggest to their legislators that parking subsidies for Federal employees in Washington, and and anywhere transit is available, are worthy of elimination.

reduced transit fees, bus lanes, increased gas taxes, or other strategies. . . .

"I would like to suggest that any 'scenario' for change in national transportation policy must begin in the cities, with neighborhood groups (who are generally resentful of the daily suburban assault on their communities) pushing for transportation controls—particularly parking controls—in SIPs and TSMs, and making sure they are enforced. As people switch to transit, they will demand better service. NARP wins two ways. First, commuter rail will become more attractive. Second, . . . as people use their cars less for commuting, they will be more interested in improved rail service so they can get rid of their cars altogether; and, since many people only drive between cities because they need a way to get around when they reach their destination, they would be more likely to leave their cars at home and take the train if a good transit service is developed at their destination.

"Rail passenger service needs good urban transit systems to survive. Good transit systems need more patronage. There is conclusive evidence that the best way to improve patronage is to clamp down on parking, while improving the availability and quality of transit service. As this is done, a strong national constituency will be built behind public transportation—intraand inter-city."

Of course, adequate parking controls are likely to become politically feasible only where good public transportation is available. Burwell's comments, however, are useful in showing how the work of different groups fighting for balanced transportation fits together into a plausible scenario for realizing our common goal.

The End of the Road hit home at the personal level. It brought to mind this prejudice—the feeling of superiority over anyone whose household lacks an automobile. This attitude is widely shared in the U.S. and reflected in government policies, but it is not widely defined as a prejudice. The book also, in as many words, reminded me that I contribute to the highway trust fund every time I step on the accelerator. I've been doing more walking and bus-riding lately. **—Ross Capon**

Some Victories! *(continued from page 1)*

maintain their economic growth. In areas where alternative modes of transportation are lacking, the relative importance of rail passenger transportation to tourism should be weighed heavily in the Secretary's final recommendations."

- ICC authority to require Amtrak to comply with requests of a state, regional, or local agency to institute or modify service—including rates, fares, charges, scheduling, marketing, and operations—"or to take such other action as the Commission considers appropriate" regarding Section 403(b) services "if the Commission determines, upon receipt of (a petition from the agency) that the request . . . is consistent with the public interest and the purpose of" Section 403(b);
- Under Sec. 403(b), reimbursement to the state or local agency "for staff services in an amount equal to 3% of Amtrak's 50% share of the operating losses and associated capital costs of" the trains covered by that agency's agreement with Amtrak;
- Amtrak authority to operate commuter trains if a public agency agrees to reimburse Amtrak for the avoidable costs. This section is limited to "rail passenger service operated in metropolitan and suburban areas, usually characterized by reduced fare, multiple-ride, and commutation tickets, and by morning and evening peak period operations." (NARP had urged inclusion of this concept.);
- adding the italicized words to the following sentence in Section 301 (creation of the corporation): "(Amtrak) shall be *operated and managed as* a for profit corporation . . .";
- requiring the Secretary of Transportation to "evaluate the common stock ownership" of Amtrak and to submit a report by the end of the year recommending what if any action should be taken on the matter. "In making such recommendations, the Secretary shall consider the best interests of the United States." (Common stock is owned by Penn Central, Burlington Northern, Milwaukee Road, and Grand Trunk, and is the reason representatives of the first three named companies are on Amtrak's Board.);
- deletion of Sec. 601(b), which required concurrent transmittal to Congress of any Amtrak budget estimate or request submitted to the President, DOT, or OMB;
- directing the Comptroller General (head of the General Accounting Office) to "study the economic relationship of the Amtrak fare structure to the intercity bus industry" and to submit to Congress a report on the results of the study by December 31;
- giving to the ICC, "upon the application of any aggrieved motor carrier, jurisdiction under any applicable provision of part 1 of the Interstate Commerce Act over any rate, fare, charge, or marketing practice of (Amtrak) with respect to any route or service which operates at a loss for the purpose of hearing the complaint over an unfair or predatory practice." Though the ICC could do no more than hold a hearing, one presumes that ICC's report on such hearing would be widely quoted by whichever interests see themselves as benefiting from such publicity.) Greyhound is already preparing an application expected to be filed shortly after this section becomes effective on January 1, 1979.);
- a "Buy American" clause applicable to Amtrak purchases of $1 million or more made after enactment of this provision, except where the Secretary of Transportation finds that the restriction is "inconsistent with the public interest", that the cost of imposing the requirement "is unreasonable", or that the items "are not mined, produced, or manufactured, as the case may be, in the U.S. in sufficient and reasonably available commercial quantities and of a satisfactory quality.";
- clarifying Sec. 402(a), as it relates to ICC resolution of compensation disputes between Amtrak and contracting railroads, by preventing the ICC from requiring Amtrak to pay fully allocated costs of facilities (including property taxes and return on investment) as part of the guaranteed base compensation to railroads. The ICC's "T&P" decision had raised fears that Amtrak's payments to railroads for existing service might eventually be increased by $80 to $100 million/year nationwide. This clarification takes care of about 1/3 of that amount, and the ICC will take care of most of the rest—if it follows the example of its 1977 Union Pacific decision, which required a faster schedule for train operations and included reasonable incentives;
- requiring Amtrak to establish a "Railroad Safety System Program . . . designed to serve as a model for other railroads to use in developing safety programs." The conferees' statement says they intend Amtrak to pay for this program out of operating funds, but the conferees deleted the mandatory House figure of $250,000;
- increasing from 60% to 80% the Federal share of funding in FRA's Intermodal Terminal Program, which has $1.6 million for distribution among at least three cities. Earlier, $2 million was distributed among 13 cities;
- development by the Secretary, in consultation with Amtrak, of Northeast Corridor rollingstock compatible with "the track, operating, and marketing characteristics" of the Corridor and able "after the completion of the NEC improvement project . . . to reliably meet the trip times" in the 4R Act of 1976 (3:40 Boston-NY and 2:40 NY-Washington, both "including appropriate intermediate stops"). Amtrak is then to request the necessary funds.
- submission within one year of a report by the Secretary "on the conflict between the needs of commuter and intercity rail passenger service and on the allocation of access rights to key Northeast Corridor terminals, especially Pennsylvania Station in New York."
- designating "not less than $27 million of the $1.6 billion for Northeast Corridor improvements funding contained in the 4R Act as being available to commuter agencies for "equipment modification and replacement which (the agencies) will be required to bear as a result of the electrification conversion system of the NEC pursuant to (Sec. 704 of the 4R Act)."; and
- requiring Amtrak to "utilize all feasible means, including taking into account the needs of the United States Postal Service in establishing schedules, to attract and service the bulk mail needs of the Postal Service."

The Act states that "after the date of approval of the basic system designated in the final recommendations of the Secretary, any additions, deletions, or modifications in such basic system may be made by (Amtrak) in accordance with the criteria and procedures" (in sec. 404(c)(1), previously in effect).

All conferees signed the Act and their joint explanatory statement. They were: Reps. Staggers (D-WV), Rooney (D-PA), Metcalfe (D-IL), Mikulski (D-MD), Florio (D-NJ), Devine (R-OH), and Skubitz (R-KS), and Senators Cannon (D-NV), Long (D-LA), Riegle (D-MI), Danforth (R-MO), and Schmitt (R-NM).

The statement, at the request of Senate Commerce Committee Chairman Howard Cannon, includes this: "The conferees believe that the Secretary of Transportation, in developing his recommendations of the new route sytem, should examine fare structure alternatives and their impact on ridership, revenues and expenses of Amtrak. There is a serious need on the part of Amtrak to increase its revenues in order to reverse the rising level of Federal financial support for operations. The conferees are cognizant of the fact that the elasticity of demand for rail passenger service may well vary from route to route, or even season to season, but the conferees strongly feel that Amtrak fares must be altered to reflect, more appropriately, the true cost of providing passenger services." Since the super-saver fares have dramatically increased domestic air travel, NARP hopes both Amtrak and the conferees understand that in most cases fare reductions and good marketing are needed for revenue increases.