

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

# TRANSPORTATION — MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 399)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

## To the Congress of the United States:

Two centuries ago the American Nation came into being. Thirteen sparsely populated Colonies, strung out along the Atlantic seaboard for 1,300 miles, joined their separate wills in a common endeavor.

Three bonds united them.

There was the cultural bond of a single language.

There was the moral bond of a thirst for liberty and democratic government.

There was the physical bond of a few roads and rivers, by which the citizens of the Colonies engaged in peaceful commerce.

Two centuries later the language is the same. The thirst for liberty and democracy endures.

The physical bond—that tenuous skein of rough trails and primitive roads—has become a powerful network on which the prosperity and convenience of our society depend.

In a nation that spans a continent, transportation is the web of union.

## THE GROWTH OF OUR TRANSPORTATION SYSTEM

It is not necessary to look back to the 1760's to chronicle the astonishing growth of American transportation.

Twenty years ago there were 31 million motor vehicles in the United States. Today there are 90 million. By 1975 there will be nearly 120 million.

Twenty years ago there were 1.5 million miles of paved roads and streets in the United States. Today this figure has almost doubled.

Twenty years ago there were 38,000 private and commercial aircraft. Today there are more than 97,000.

Twenty years ago commercial airlines flew 209 million miles. Last year they flew 1 billion miles.

Twenty-five years ago American transportation moved 619 billion ton-miles of cargo. In 1964, 1.5 trillion ton-miles were moved.

The manufacturing of transportation equipment has kept pace. It has tripled since 1947. Last year \$4.5 billion was spent for new transportation plant and equipment.

Transportation is one of America's largest employers. There are: 737,000 railroad employees; 270,000 local and interurban workers; 230,000 in air transport; almost a million men and women in motor transport and storage.

Together with pipeline and water transportation employees, the total number of men and women who earn their livelihoods by moving people and goods is well over 2½ million.

The Federal Government supports or regulates almost every means of transportation. Last year alone, more than \$5 billion in Federal funds were invested in transportation—in highway construction, in river and harbor development, in airway operation and airport construction, in maritime subsidies. The Government owns 1,500 of the Nation's 2,500 oceangoing cargo vessels.

Our transportation system—the descendant of the horse-drawn coaches and sailing ships of colonial times—accounts for one in every six dollars in the American economy. In 1965, that amounted to \$120 billion—a sum greater than the gross national product of this Nation in 1940.

## SHORTCOMINGS OF OUR SYSTEM

Vital as it is, mammoth and complex as it has become, the American transportation system is not good enough.

It is not good enough when it offers nearly a mile of street or road for every square mile of land—and yet provides no relief from time-consuming, frustrating, and wasteful congestion.

It is not good enough when it produces sleek and efficient jet aircraft—and yet cannot move passengers to and from airports in the time it takes those aircraft to fly hundreds of miles.

It is not good enough when it builds superhighways for supercharged automobiles—and yet cannot find a way to prevent 50,000 highway deaths this year.

It is not good enough when public and private investors pour \$15 million into a large, high-speed ship—only to watch it remain idle in port for days before it is loaded.

It is not good enough when it lays out new freeways to serve new cities and suburbs—and carelessly scars the irreplaceable countryside.

It is not good enough when it adheres to custom for its own sake—and ignores opportunities to serve our people more economically and efficiently.

It is not good enough if it responds to the needs of an earlier America—and does not help us expand our trade and distribute the fruits of our land throughout the world.

## WHY WE HAVE FALLEN SHORT

Our transportation system has not emerged from a single drawing board, on which the needs and capacities of our economy were all charted. It could not have done so, for it grew along with the country itself—now restlessly expanding, now consolidating, as opportunity grew bright or dim.

Thus investment and service innovations responded to special needs. Research and development were sporadic, sometimes inconsistent, and largely oriented toward the promotion of a particular means of transportation.

As a result, America today lacks a coordinated transportation system that permits travelers and goods to move conveniently and efficiently from one means of transportation to another, using the best characteristics of each.

Both people and goods are compelled to conform to the system as it is, despite the inconvenience and expense of—

Aging and often obsolete transportation plant and equipment.

Networks chiefly designed to serve a rural society.

Services long outstripped by our growing economy and population, by changes in land use, by new concepts in industrial plant location, warehousing, and distribution.

The failure to take full advantage of new technologies developed elsewhere in the economy.

Programs and policies which impede private initiative and dull incentives for innovation.

The result is waste—of human and economic resources—and of the taxpayers' dollar.

We have abided this waste too long.

We must not permit it to continue.

We have too much at stake in the quality and economy of our transportation system. If the growth of our transport industries merely keeps pace with our current national economic growth, the demand for transportation will more than double in the next 20 years.

But even that is too conservative an estimate. Passenger transportation is growing much faster than our gross national product—reflecting the desires of an affluent people with ever-increasing incomes.

## PRIVATE AND PUBLIC RESPONSIBILITY

The United States is the only major nation in the world that relies primarily upon privately owned and operated transportation.

That national policy has served us well. It must be continued.

But private ownership has been made feasible only by the use of publicly granted authority and the investment of public resources—

By the construction of locks, dams, and channels on our rivers and inland waterways.

By the development of a vast highway network.

By the construction and operation of airports and airways.

By the development of ports and harbors.

By direct financial support to the merchant marine.

By grants of eminent domain authority.

By capital equipment grants and demonstration projects for mass transit.

In years past, by grants of public land to assist the railroads.

Enlightened government has served as a full partner with private enterprise in meeting America's urgent need for mobility.

That partnership must now be strengthened with all the means that creative federalism can provide. The costs of a transportation paralysis in the years ahead are too severe. The rewards of an efficient system are too great. We cannot afford the luxury of drift—or proceed with business as usual.

We must secure for all our travelers and shippers the full advantages of modern science and technology.

We must acquire the reliable information we need for intelligent decisions.

We must clear away the institutional and political barriers which impede adaptation and change.

We must promote the efforts of private industry to give the American consumer more and better service for his transportation dollar.

We must coordinate the executive functions of our transportation agencies in a single coherent instrument of Government. Thus, policy guidance and support for each means of transportation will strengthen the national economy as a whole.

## A DEPARTMENT OF TRANSPORTATION

I urge the Congress to establish a Cabinet level Department of Transportation.

I recommend that this Department bring together almost 100,000 employees and almost \$6 billion of Federal funds now devoted to transportation.

I urge the creation of such a Department to serve the growing demands of this great Nation, to satisfy the needs of our expanding industry and to fulfill the right of our taxpayers to maximum efficiency and frugality in Government operations.

In so doing, I follow the recommendations of many outstanding Americans.

In 1936, a Select Committee of the U.S. Senate recommended a Department of Transportation, or, in the alternative, the consolidation of all transportation programs in the Department of Commerce.

In 1949, the Hoover Commission Task Force on Transportation recommended a Department of Transportation.

In 1961, President Eisenhower recommended such a Department in his budget message.

In 1961, a special study group of the Senate Committee on Commerce recommended that all promotional and safety programs of the Federal Government be concentrated in a Department of Transportation.

Many distinguished Members of Congress have offered bills to create the Department. Private citizens, the Nation's leading experts in the field, have made the same recommendation to me.

It is time to act on these recommendations.

## SCOPE OF THE DEPARTMENT

I propose that the following agencies and functions be consolidated in the Department of Transportation:

1. The Office of the Under Secretary of Commerce for Transportation, and its policy, program, emergency transportation and research staffs.

2. The Bureau of Public Roads and the Federal-aid highway program it administers.

3. The Federal Aviation Agency. This key agency, with its functions in aviation safety, promotion, and investment, will be transferred in its entirety to the new Department. It will continue to carry out these functions in the new Department.

4. The Coast Guard, whose principal peacetime activities relate to transportation and marine safety. The Coast Guard will be transferred as a unit from the Treasury Department. As in the past, the Coast Guard will operate as part of the Navy in time of war.

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5. The Maritime Administration, with its construction and operating subsidy programs.

6. The safety functions of the Civil Aeronautics Board, the responsibility for investigating and determining the probable cause of aircraft accidents and its appellate functions related to safety.

7. The safety functions and car service functions of the Interstate Commerce Commission, principally the inspection and enforcement of safety regulations for railroads, motor carriers, and pipelines, and the distribution of rail car supply in times of shortage.

8. The Great Lakes Pilotage Administration, the St. Lawrence Seaway Development Corporation, the Alaska Railroad, and certain minor transportation-related activities of other agencies.

As this list indicates, I am recommending the consolidation into the Department of those Federal agencies whose primary functions are transportation promotion and safety.

## NATIONAL TRANSPORTATION SAFETY BOARD

No function of the new Department—no responsibility of its Secretary—will be more important than safety. We must insure the safety of our citizens as they travel on our land, in our skies, and over our waters.

I recommend that there be created under the Secretary of Transportation a National Transportation Safety Board independent of the operating units of the Department.

The sole function of this Board will be the safety of our travelers. It will review investigations of accidents to seek their causes. It will determine compliance with safety standards. It will examine the adequacy of the safety standards themselves. It will assume safety functions transferred from the ICC and the CAB.

I consider the functions of this Board so important that I am requesting authority from the Congress to name five Presidential appointees as its members.

## RELATION TO OTHER GOVERNMENT ACTIVITIES

The activities of several departments and agencies affect transportation promotion and safety. Sound management requires that an appropriate and intimate relationship be established between those activities and the new Department of Transportation.

1. The subsidy functions of the Civil Aeronautics Board.

Aviation subsidies—now provided only for local airline service—clearly promote our domestic transportation system. But subsidy awards are an integral part of the process of authorizing air carrier service. This is a regulatory function.

Therefore the airline subsidy program should remain in the Civil Aeronautics Board. The Secretary of Transportation, however, will develop principles and criteria which the Board will take into consideration in its proceedings. In this way the subsidy program will be coordinated with overall national transportation policy.

2. The navigation program of the Corps of Engineers.

The Corps of Engineers—through its construction of locks and harbor facilities

ties and its channel deepening and river bank protection work—makes a major contribution to water transportation. The Department of Transportation should not assume the responsibility for that construction, but its Secretary should be involved in the planning of water transportation projects.

With the approval of the President, the Secretary of Transportation should also issue standards and criteria for the economic evaluation of Federal transportation investments generally. In the case of transportation features of multipurpose water projects, he should do so after consulting with the Water Resources Council.

3. International aviation.

The Secretary of Transportation should provide leadership within the executive branch in formulating long-range policy for international aviation. While foreign policy aspects of international aviation are the responsibility of the Secretary of State, the Secretary of Transportation should insure that our international aviation policies are consistent with overall national transportation policy.

Subject to policy determinations by the President, the Civil Aeronautics Board regulates international aviation routes and fares as they affect the United States. This function has far-reaching effects on our foreign policy, our balance of payments, and the vitality of American aviation. The Secretary of Transportation should participate in Civil Aeronautics Board proceedings that involve international aviation policy.

4. Urban transportation.

The Departments of Transportation and Housing and Urban Development must cooperate in decisions affecting urban transportation.

The future of urban transportation—the safety, convenience, and indeed the livelihood of its users—depends upon wide-scale, rational planning. If the Federal Government is to contribute to that planning, it must speak with a coherent voice.

The Department of Housing and Urban Development bears the principal responsibility for a unified Federal approach to urban problems. Yet it cannot perform this task without the counsel, support, and cooperation of the Department of Transportation.

I shall ask the two Secretaries to recommend to me, within a year after the creation of the new Department, the means and procedures by which this cooperation can best be achieved—not only in principle, but in practical effect.

## ROLE OF THE DEPARTMENT

The Department of Transportation will—

Coordinate the principal existing programs that promote transportation in America.

Bring new technology to a total transportation system by promoting research and development in cooperation with private industry.

Improve safety in every means of transportation.

Encourage private enterprise to take full and prompt advantage of new technological opportunities.



Encourage high-quality, low-cost service to the public.

Conduct systems analyses and planning to strengthen the weakest parts of today's system.

Develop investment criteria and standards and analytical techniques to assist all levels of government and industry in their transportation investments.

#### THE INTERSTATE COMMERCE COMMISSION

The Cabinet-level Department I recommend will not alter the economic regulatory functions of the Interstate Commerce Commission, the Civil Aeronautics Board, or the Federal Maritime Commission.

I do recommend, however, a change in the manner of selecting the Chairman of the Interstate Commerce Commission.

Today, the Chairman of this vital Commission—alone among the Federal regulatory agencies—is selected, not by the President, but by annual rotation among the 11 Commissioners.

This is not sound management practice in an agency whose influence on our rail, highway, waterway, and pipeline industries is so far reaching.

The ICC bears the demanding and challenging responsibility to keep Federal regulation attuned to the needs and opportunities of a dynamic industry. Its jurisdiction extends to 18,000 transport companies. It handles 7,000 cases each year. No private corporation of such size and importance would change its chief executive officer once each year.

I shall shortly submit to the Congress a reorganization plan to give the President authority to designate the Chairman of the Interstate Commerce Commission from among its members and to strengthen his executive functions.

#### SAFETY

One hundred and five thousand Americans died in accidents last year.

More than half were killed in transportation or in recreation accidents related to transportation.

Forty-nine thousand deaths involved motor vehicles.

One thousand three hundred involved aircraft.

One thousand five hundred involved ships and boats.

Two thousand three hundred involved railroads.

Million of Americans were injured in transportation accidents—the overwhelming majority involving automobiles.

Each means of transportation has developed safety programs of varying effectiveness. Yet we lack a comprehensive program keyed to a total transportation system.

Proven safety techniques in one means have not always been adapted in others.

Last year the highway death toll set a new record. The prediction for this year is that more than 50,000 persons will die on our streets and highways—more than 50,000 useful and promising lives will be lost, and as many families stung by grief.

The toll of Americans killed in this way since the introduction of the automobile is truly unbelievable. It is 1.5

million—more than all the combat deaths suffered in all our wars.

No other necessity of modern life has brought more convenience to the American people—or more tragedy—than the automobile.

#### WHY WE ARE FAILING

The carnage on the highways must be arrested.

As I said some weeks ago, we must replace suicide with sanity and anarchy with safety.

The weaknesses of our present highway safety program must be corrected—

Our knowledge of causes is grossly inadequate. Expert opinion is frequently contradictory and confusing.

Existing safety programs are widely dispersed. Government and private efforts proceed separately, without effective coordination.

There is no clear assignment of responsibility of the Federal level.

The allocation of our resources to highway safety is inadequate.

Neither private industry nor Government officials concerned with automotive transportation have made safety first among their priorities. Yet we know that expensive freeways, powerful engines, and smooth exteriors will not stop the massacre on our roads.

#### WHAT CAN BE DONE

State and local resources are insufficient to bring about swift reductions in the highway death rate. The Federal Government must provide additional resources. Existing programs must be expanded. Pioneer work must begin in neglected areas.

Federal highway safety responsibilities should be incorporated into the Department of Transportation, in a total transportation safety program.

I have already set in motion a number of steps under existing law:

1. To strengthen the Federal role, I am assigning responsibility for coordinating Federal highway safety programs to the Secretary of Commerce. I am directing the Secretary to establish a major highway safety unit within his Department. This unit will ultimately be transferred to the Department of Transportation. The President's Committee on Traffic Safety will be reorganized, strengthened, and supported entirely by Federal funds. The Interdepartmental Highway Safety Board will be reconstituted and the Secretary's role strengthened.

2. To give greater support to our safety programs, I am requesting increased funds for research, accident data collection, improved emergency medical service, driver education and testing, and traffic control technology.

I have also asked the Secretary of Commerce to evaluate systematically the resources allocated to traffic safety, to insure that we are receiving the maximum benefits from our present efforts.

3. To improve driving conditions, I have ordered that high priority be given to our efforts to build safety features into the Federal-aid highway network.

4. To save those who are injured, I have directed the Secretary of Health, Education, and Welfare, in cooperation

with the Secretary of Commerce, immediately to initiate projects to demonstrate techniques for more effective emergency care and transportation. He will work in full cooperation with State, local, and private officials.

5. To help us better understand the causes of highway accidents, I have asked the Secretary of Commerce to establish accident investigation teams, who will bring us new understanding of highway accidents and their causes.

6. To make Government vehicles safer, I have asked the Administrator of General Services, in cooperation with the Secretary of Commerce, to begin a detailed study of the additional vehicle safety features that should be added to the Federal fleet.

#### THE TRAFFIC SAFETY ACT OF 1966

More—much more—remains to be done. The people of America deserve an aggressive highway safety program.

I believe that the Congress—the same Congress which last year gave the Secretary of Commerce broad authority to set uniform standards for State highway safety programs—will join in our efforts to bring that program into being.

I urge the Congress to enact the Traffic Safety Act of 1966.

I urge greater support for State highway safety programs.

I urge the creation of a National Highway Research and Test Facility.

To begin, I recommend a \$700 million, 6-year program.

The three components of this program are as critically important as the problems they address.

First, Federal grants to the States for highway safety will be increased. With these funds, a comprehensive highway safety program can be developed by each State under standards approved by the Secretary of Commerce. Included will be measures such as driver education and licensing—advanced traffic control techniques—regular vehicle safety inspections—police and emergency medical services.

Second, automobile safety performance will be improved. Proper design and engineering can make our cars safer. Vehicles sold in interstate commerce must be designed and equipped for maximum safety. Safe performance design standards must be met in tomorrow's cars.

I recommend that the Secretary of Commerce be given authority to determine the necessary safety performance criteria for all vehicles and their components.

If, after a 2-year period, the Secretary finds that adequate voluntary standards are not satisfactory, he would be authorized to prescribe nationwide mandatory safety standards. He would be also authorized to prohibit the sale in interstate commerce of new vehicles and their components which failed to meet those standards.

Third, the Federal Government's highway safety research efforts will be expanded.

I recommend construction of a national highway safety research and test center.

Funds are needed to support research and testing in many disciplines related to highway safety. The public interest demands a better understanding of the human, highway, and vehicle factors which cause death and injury. We must develop more effective countermeasures and objective standards to guide our national programs. Special accident teams should be organized—accurate data collection should be enlarged on a national basis—fellowship grants and research support should be made available to attract the best minds and talents of our Nation to this urgent work.

This new highway safety program would be transferred to the Secretary of Transportation upon the creation of the new Department.

Congress has not hesitated to establish rigorous safety standards for other means of transportation when circumstances demanded them.

Today's highway death toll calls for an equally vigorous and effective expression of concern for our millions of car-owning families. For unless we avert this slaughter, one out of every two Americans will one day be killed or seriously injured on our highways.

#### SAFETY STANDARDS FOR MOTOR VEHICLE TIRES

I urge the Congress to act speedily and favorably on S. 2669, a bill establishing safety standards for motor vehicle tires sold or shipped in interstate commerce.

Most tires sold to American drivers are produced and properly tested by reputable companies. Nevertheless, evidence has shown that increasing numbers of inferior tires are being sold to unwitting customers throughout the country. The dangers such tires hold for high-speed automobiles and their occupants is obvious.

S. 2669 provides that the Secretary of Commerce shall establish, and publish in the Federal Register, interim minimum safety standards for tires. The Secretary would be required to review these standards 2 years from the enactment of the bill, and to revise them where necessary. A research and development program under his direction would improve the minimum standards for new tires, and develop such standards for retreaded tires.

Our driving public deserves the prompt passage of S. 2669, and the protection it will afford them from accidents caused by tire failures.

#### SAFETY AT SEA

Last year 90 men and women lost their lives when the cruise ship *Yarmouth Castle* burned and sank in the calm waters of the Caribbean.

The *Yarmouth Castle* was exempt from U.S. safety standards—partially because of its "grandfather rights" under law. It was built before 1937.

We cannot allow the lives of our citizens to depend upon the year in which a ship was built.

The Coast Guard is presently completing its investigation of the *Yarmouth Castle* disaster. The Maritime Administration has already finished its investigation of financial responsibility.

Later in this session—when our inquiries are accomplished and our find-

ings reported—we will submit to the Congress legislation to improve safety measures and guarantees of financial responsibility on the part of owners and operators of passenger-carrying vessels sailing from our ports.

#### AIR ACCIDENT COMPENSATION

The United States has declared its intention to withdraw from the Warsaw Convention. Under this pact, the financial liability of a member nation's airline is limited to \$8,300 for a passenger's death.

Discussions are underway in the International Civil Aviation Organization to increase this liability for passengers flying anywhere in the world. We have expressed our opinion that the limit of liability should be raised to \$100,000.

#### RESEARCH AND DEVELOPMENT

Today the United States ranks as the world's leader in technology.

Despite this—and despite the importance of transportation in the competition for international trade—exclusive of national security and space, the Federal Government spends less than 1 percent of its total research and development budget for transportation.

Under our system of government, private enterprise bears the primary responsibility for research and development in the transportation field.

But the Government can help. It can plan and fashion research and development for a total transportation system which is beyond the responsibility or capability of private industry.

Through Government-sponsored research and development we can—

Fully understand the complex relationships among the components of a total transportation system.

Provide comprehensive and reliable data for both private and public decisions.

Identify areas of transportation which can be exploited by private industry to provide safer and more efficient services to the public.

Build the basis for a more efficient use of public resources.

Provide the technological base needed to assure adequate domestic and international transportation in times of emergency.

Help make significant advances in every phase of transport—in aircraft, in ocean-going ships, in swifter rail service, in safer vehicles.

#### SUPERSONIC TRANSPORT AIRCRAFT

The United States is preeminent in the field of aircraft design and manufacture.

We intend to maintain that leadership.

As I said in my state of the Union message, I am proposing a program to construct and flight-test a new 2,000-mile-per-hour supersonic aircraft.

Our supersonic transport must be reliable and safe for the passenger.

It must be profitable for both the airlines and the manufacturers.

Its operating performance must be superior to any comparable aircraft.

It must be introduced into the market in a timely manner.

We have underway an intensive research and design program on the supersonic transport, supported by appropriations of \$231 million.

The design competition for this aircraft and its engines is intense and resourceful.

I am requesting \$200 million in fiscal year 1967 appropriations to initiate the prototype phase of the supersonic transport. My request includes funds for the completion of design competition, expanded economic and sonic boom studies, and the start of prototype construction.

We hope to conduct first flight tests of the supersonic transport by 1970, and to introduce it into commercial service by 1974.

#### AIRCRAFT NOISE

The jet age has brought progress and prosperity to our air transportation system. Modern jets can carry passengers and freight across a continent at speeds close to that of sound.

Yet this progress has created special problems of its own. Aircraft noise is a growing source of annoyance and concern to the thousands of citizens who live near many of our large airports. As more of our airports begin to accommodate jets and as the volume of air travel expands, the problem will take on added dimension.

There are no simple or swift solutions. But it is clear that we must embark now on a concerted effort to alleviate the problems of aircraft noise. To this end, I am today directing the President's Science Adviser to work with the Administrators of the Federal Aviation Agency and National Aeronautics and Space Administration, and the Secretaries of Commerce and of Housing and Urban Development, to frame an action program to attack this problem.

I am asking this group to—

Study the development of noise standards and the compatible uses of land near airports.

Consult with local communities and industry.

Recommend legislative or administrative actions needed to move ahead in this area.

#### ADVANCED OCEAN VESSEL CONCEPTS

After years of U.S. leadership, maritime technology in other countries has caught up with and, in some instances, surpassed our own.

The U.S. merchant marine suffers in world competition because it bears much higher costs than its competitors. This can be offset in some measure by technological improvements.

The Department of Defense recently launched the fast deployment logistics ship program. This concept introduces to the maritime field the same systems approach that has proven so successful in other Defense and aerospace programs.

To achieve comparable improvements throughout the maritime industry, I am directing the Secretary of Commerce, with the Secretary of Defense, the President's Scientific Adviser, and the Atomic Energy Commission, to conduct a study of advanced vessel concepts.



The work of this team will include: Research, development, and planning of high-speed, large-capacity ships, devoted primarily to transporting pre-loaded containers of varying types between the major ports in the world.

Research on an ocean-going surface effects vessel capable of skimming over the water at speeds more than 100 knots.

Continued exploration of the application of nuclear propulsion to merchant marine ships.

Our private shipyards should continue to serve the needs of the country. They can become more productive and competitive through research and development and through standardization of ship construction. With a new Department of Transportation, we will increase our efforts to bring a modern, efficient merchant marine fleet to this Nation.

#### ADVANCED LAND TRANSPORT

Last year Congress took a long step toward advanced land transportation by enacting the high-speed ground transportation research and development program. This program will be continued at the most rapid pace consistent with sound management of the research effort.

Similar vision and imagination can be applied to highway transport.

Segments of the interstate highway network already in operation are the most efficient, productive roads ever built anywhere in the world. Motor vehicles move at higher rates of speed, more safely, and in greater number per lane than on conventional roads. Transportation costs are reduced, and less land area is needed for this volume of traffic.

With the network about half completed after 10 years, it is apparent that interstate highways, as well as other roads and streets, can become even more productive and safe.

Accordingly, I am directing the Secretary of Commerce to—

Investigate means for providing guidance and control mechanisms to increase the capacity and improve the safety of our highway network.

Conduct research into the means of improving traffic flow—particularly in our cities—so we can make better use of our existing roads and streets.

Investigate the potential of separate roadways for various classes of vehicles, with emphasis on improving mass transportation service.

#### SYSTEMS RESEARCH

Some of our brightest opportunities in research and development lie in the less obvious and often neglected parts of our transportation system.

We spend billions for constructing new highways, but comparatively little for traffic control devices.

We spend millions for fast jet aircraft—but little on the traveler's problem of getting to and from the airport.

We have mounted a sizable government-industry program to expand exports, yet we allow a mountain of red-tape paperwork to negate our efforts. Worldwide, a total of 810 forms are required to cover all types of cargo imported and exported. In this country

alone, as many as 43 separate forms are used in one export shipment. Eighty separate forms may be needed to process some imports. This is paperwork run wild.

I am directing the Secretaries of Treasury and Commerce and the Attorney General to attack these problems, through the use of effective systems research programs. And I have directed them to eliminate immediately every unnecessary element of red-tape that inhibits our import and export programs.

#### TRANSPORTATION FOR AMERICA

The Founding Fathers rode by stage to Philadelphia to take part in the Constitutional Convention. They could not have anticipated the immense complexity—or the problems—of transportation in our day.

Yet they, too, recognized the vital national interest in commerce between the States. The early Congresses expressed that interest even more directly, by supporting the development of road and waterway systems.

Most important, the Founding Fathers gave us a flexible system of government. Cities, States, and the Federal Government can join together—and in many cases work with private enterprise—in partnerships of creative federalism to solve our most complex problems.

For the very size of our transportation requirements—rising step by step with the growth of our population and industry—demands that we respond with new institutions, new programs of research, new efforts to make our vehicles safe, as well as swift.

Modern transportation can be the rapid conduit of economic growth—or a bottleneck.

It can bring jobs and loved ones and recreation closer to every family—or it can bring instead sudden and purposeless death.

It can improve every man's standard of living—or multiple the cost of all he buys.

It can be a convenience, a pleasure, the passport to new horizons of the mind and spirit—or it can frustrate and impede and delay.

The choice is ours to make.

We build the cars, the trains, the planes, the ships, the roads, and the airports. We can, if we will, plan their safe and efficient use in the decades ahead to improve the quality of life for all Americans.

The program I have outlined in this message is the first step toward that goal.

I urge its prompt enactment by the Congress.

LYNDON B. JOHNSON.

THE WHITE HOUSE, March 2, 1966.

#### PROPOSED CREATION OF DEPARTMENT OF TRANSPORTATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I am delighted that the President has sent up his message on transportation. In this message the President has constructively recommended the creation of a Department of Transportation for dealing with the many urgent problems in this area. Transportation affects and is affected by many economic, social, and institutional factors. What the President's decision reflects is an understanding that we must provide strong central leadership for those persons and organizations at the Federal level who are involved in the functioning of our transportation system.

The creation of a Department of Transportation will permit the Federal Government consciously to focus the leadership of our private industry, economists, scientists, engineers, labor, and others upon the broad problems of transportation which recognize no disciplinary barrier. In no other way can we give effective leadership in an area which reaches so deeply into the economic, social, and political structure of our daily lives.

As the President has indicated, there are today a host of Federal agencies concerned with transportation. They are often participating in the development and the utilization of transportation services under a disparate and uncoordinated set of policy guidelines.

Transportation incorporates the total movement of vehicles, including facilities and personnel required to assure that people and goods are efficiently and economically distributed to points of destination both within and across the borders of the Nation. It is estimated that this total effort represents an expenditure approaching \$125 billion per year. Furthermore, transportation consumes as much as 45 percent of the total national expenditure of energy. It has puzzled me as to how this vital service, with such a pervasive influence on every major aspect of the Nation's economy, has functioned without more centralized leadership.

The creation of the Department of Transportation will undoubtedly improve the total efficiency of our transportation system, eliminate wasteful allocation of resources, and permit us to take advantage of technological innovations in assuring the future growth and development of transportation. Only a Federal department can deal effectively with this staggering and complex system. Such a department is long overdue.

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, at the request of the President and on behalf of myself, I introduce for appropriate reference, a bill to create a Cabinet-level Department of Transportation, H.R. 13200.

This is not a new idea which we are being asked to consider. It has been before the Congress in one form or another some 17 times in the past 92 years.

There is a new sense of urgency attached to the issue today, however.

The future growth and expansion of our economy and the continuing population explosion makes it necessary for us to insure that we will be able to meet the future challenge of mobility and keep this Nation strong and prosperous.

Our population will double by the end of this century. All the facilities needed to service that population also will have to double.

Since the turn of the century there has emerged on the scene four new systems of transportation—the automobile, the motor truck, the airplane, and the pipeline.

We cannot hope for four more new forms of transport to keep us moving in the days and years of growth and expansion that lie ahead.

We have to do a better job with what we have. We will have to find new ways of marshaling our knowledge, of applying and developing technology, of coordinating and integrating existing modes. We will have to reach new heights, too, in research and development of the ways and means of moving people and goods at the lowest cost, in the safest manner, and in response to the varied demands of our complex society.

We shall have to reach new peaks of leadership and administrative skill to attain these objectives under the same system of free enterprise that has marked our Nation's progress from its very beginning.

In order to meet our objectives and provide for our increasing needs, we must be sure that we have the most efficient Government organization possible. We must take every necessary step to see that we do not build in institutional barriers to progress and we must be equally sure that we have a mechanism which will guarantee efficient allocation of the economy's scarce resources among the many competing programs.

The President feels that these are compelling reasons for creating a new Department of Transportation. The creation of a new Department at Cabinet level is not an act to be taken lightly. Since 1913, there have been only three new departments created. The Department of Transportation will be the fourth.

The bill which we have before us is a recognition of the fact that transportation is a matter of vital importance to the national welfare and that there is a need for coordination of transportation programs and development of policies by an officer of Cabinet rank.

This is not a proposal for new programs. Nor is it a proposal to shake up and reshuffle the existing transportation programs in those bureaus and agencies which this legislation will effect.

In essence, it is a proposal that we bring the varied Federal transportation activities into focus; that we assign a clear-cut responsibility at the highest level of Government; that we provide the kind of administrative authority that will be required to help our private transportation industry meet the challenges of the future and remain free and competitive.

This legislation proposes to bring into the new Department of Transportation the Federal Aviation Agency, the Bureau of Public Roads, the Federal Maritime Administration, and the Coast Guard. These agencies represent a preponderance of governmental support and personnel in the field of transportation.

Also transferred would be the Office of the Under Secretary of Commerce for Transportation and its existing responsibilities.

The legislation seeks a total approach to transportation safety and would bring into the new Department responsibility for transportation safety in all modes, including rail, motor, and pipelines now under the Interstate Commerce Commission; aviation safety now under the Civil Aeronautics Board.

It also calls for creation of a National Transportation Safety Board which will have the responsibility for determining the probable cause of accidents and for handling appeals of individuals or companies from punitive actions affecting their rights.

Certain operational units and functions devoted largely to transportation also would come under the new Department. Those functions of the U.S. Army Corps of Engineers pertaining to anchorages, bridges, and tolls would be included. Those nonregulatory car service functions of the ICC also would be transferred. The Alaska Railroad and the St. Lawrence Seaway Development Corporation would be brought in under an Executive order.

The bill assigns the Secretary of Transportation the responsibility for developing economic standards and criteria for the investment of Federal funds in transportation facilities by agencies of the Federal Government. These would not apply, however, to Defense, foreign aid and matters affecting an interoceanic canal.

The bill provides that the Civil Aeronautics Board shall consider principles and criteria developed by the Secretary of Transportation for determining character and quality of service required for the commerce of the United States and the national defense in determining the subsidy payments to air carriers.

This legislation, Mr. Speaker, has been carefully drafted. It is not simply imposing another level of bureaucracy. It does not take over military or Government traffic management functions.

It does seek to establish clear-cut responsibility where it has been lacking. It replaces fragmentation with cohesion and continuity. It brings consistency and currency to our national transportation policy. It recognizes the concern with the public interest of the Congress, the President, the States, labor, management, shipper, and traveler.

In short, it will help get the Nation ready to meet the challenge of mobility that we face in the remaining days of this century.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. BLATNIK] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BLATNIK. Mr. Speaker, the idea of a Cabinet-level Department of Transportation, which the President has proposed, is not a new and revolutionary development.

For the past 30 years, various commissions, committees, task forces, and other groups have looked at our responsibilities in the field of transport and have recommended some sort of centralized administration.

A select committee of the U.S. Senate recommended in 1936 the creation of a Department of Transportation, or the consolidation of all agencies involved under a Cabinet-level Department.

The Hoover Commission Task Force on Transportation recommended such a Department in 1949.

Former President Eisenhower suggested it in his final budget message in 1961.

A special study group of the Senate Committee on Commerce also recommended, in 1961, that all promotional and safety programs of the Federal Government be blended into a Department of Transportation.

And two of President Johnson's Task Forces on Transportation and Government Organization suggested creation of a new department as the most logical way to coordinate the interacting problems that result from today's scattered transportation authority.

This idea has been on the back burner long enough. I say it is high time the Congress acted. Our transportation load is expected to double in the 20-year period ending in 1980. And it may double again in the remainder of this century.

It is time we gave transportation some attention and some help—especially in the field of research and development, which is too vast and too complex for most of the small businesses and individuals who make up our transportation system.

A Cabinet-level Department of Transportation can do all of that, and more. It should be created.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. MOSS] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MOSS. Mr. Speaker, I support the President's objective—a Cabinet-level Department of Transportation. This Nation guards zealously its privately owned transportation system. We are determined to keep it free and under the stimulus of competition and the drive for profits.

But we also have an obligation to protect the people's interest in this giant network. This unmatched transportation system of ours has been made possible in large measure by the investment of vast public resources and the use of publicly granted authority.



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We have constructed locks, dams, and channels on rivers and inland waterways; we have developed a farflung system of highways, streets, and roads—3.6 million miles of them; we construct and operate airports and airways; we develop ports and harbors; we give direct financial aid to support our merchant marine; and we exercise the right of eminent domain to pave the way for many transportation improvements.

This represents a public investment almost impossible to estimate. And we have a responsibility to see that the transportation system created by the public's investment truly serves the public interest.

The transportation industry represents about one-fifth of our gross national product.

It seems only logical that it be represented in the highest councils of public policy. A Cabinet-level Department of Transportation will provide that kind of representation.

I urge my colleagues to give most careful attention to the President's proposal.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. MACKAY] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MACKAY. Mr. Speaker, President Johnson's message today on transportation contains a discussion of traffic safety which is notable, timely, and worthy of the thoughtful consideration of every American citizen.

This message sets forth an accurate summary of the losses in life which are being sustained by our people as a result of traffic accidents. These losses are appalling.

The message contains a keen analysis of the reasons we are failing to achieve a safer traffic environment. He pointed out these weaknesses:

Our knowledge of causes is grossly inadequate. Expert opinion is frequently contradictory and confusing;

Existing safety programs are widely dispersed. Government and private efforts proceed separately, without effective coordination;

There is no clear assignment of responsibility at the Federal level;

The allocation of our resources to highway safety is inadequate;

Neither private industry nor Government officials concerned with automotive transportation have made safety first among their priorities. Yet we know that expensive freeways, powerful engines, and smooth exteriors will not stop the massacre on our roads.

The President presents concrete suggestions as to what Congress can do to provide a safer traffic environment. I particularly compliment the President for announcing that he will take immediate executive action to mobilize existing Federal resources to attack the "enemy within" which is taking its daily toll of agony, suffering, and irretrievable lives of men, women, and children.

The President has provided executive leadership in the field of traffic safety worthy of his high office. It is now our task as Members of Congress to provide

legislative leadership and response worthy of our constitutional obligation.

I hope that hearings will commence in the near future before our Committee on Interstate and Foreign Commerce which will examine the President's traffic safety proposals as well as the 25 bills already introduced this year which propose the establishment of a National Traffic Safety Agency. Such hearings will confirm a situation which will demand and which should receive a positive and adequate legislative response before this 89th Congress adjourns.

Traffic losses have become a national problem. There must be a truly national response if we are to achieve a safer traffic environment.

We must not fail.

Mr. HOWARD. Mr. Speaker, last year, approximately one-fifth of the gross national product of this Nation was attributable to transportation. There can be no question that transportation and its related activities affect the lives of our citizens as do few other industries. As President Johnson said last year:

The life of every citizen is influenced by transportation service . . . it shapes the environment in which we live and work. Advances in our transportation system must constantly be made if we are to continue to enjoy growth and prosperity.

The technological advances in all modes of transportation have been steady and, in recent years, have come with almost incredible speed. But this great technological advancement is threatened by continued failure to coordinate the dozens of Government agencies under which our national transportation now operates.

It is common knowledge that many Federal agencies administer one or another transportation program; under the best of conditions duplication of effort and waste of resources is inevitable. It is only through the grouping of these activities in a Cabinet-level department that the centralization required for informed decisions about our transportation facilities can be achieved.

We should support the President's proposal.

Mr. MAILLIARD. Mr. Speaker, from a cursory reading of the President's message on transportation, I am genuinely disturbed. Apparently, the American merchant marine has received short shrift again. For, while specific mention is made concerning proposed Federal expenditures for the development of other modes of transport, such as the supersonic transport aircraft, no specific mention is made concerning support for the American merchant marine, which presently is laboring under the hardship of severe budgetary privation. I can only conclude, therefore, that the American maritime industry is to be relegated to the position of a stepchild, not a rightful heir, in the Great Society. This administration knows little and apparently cares less about ocean borne commerce.

I must say, however, that I am gratified by the President's recognition that—  
We cannot afford the luxury of drift—or proceed with business as usual.

As ranking minority member of the Committee on Merchant Marine and Fisheries, I have been expressing alarm for years now over the inexorable drift of the American merchant marine. I am thankful, therefore, that at least my terminology, if not my concern, has not fallen upon deaf ears.

I am equally gratified to see that the President has recognized the necessity for improving safety measures and guarantees of financial responsibility on the part of owners and operators of foreign-flag passenger vessels sailing from our ports. In view of the unanimity of opposition by all executive agencies which testified only last August on my proposed legislation, which would have effected such a remedy, I am happy to see that at long last the President himself now recognizes our responsibility to the American traveling public.

Because of my concern over the generally substandard condition of many foreign-flag passenger vessels, I introduced legislation which was considered during the last session of the 89th Congress. It did not require any extraordinary powers of perception to note, as I did on August 31, 1965, that, and I quote:

The Yarmouth Castle is certainly a shining example of a ship that was not in proper condition to engage in cruise trade.

The tragic sinking of that foreign-flag cruise ship was unwanted vindication of my deep and personal concern over the safety of our citizens. Yet, how could we pass effective legislation? Without exception, five different agencies of the executive opposed my legislation. We had testimony from the honorable Nicholas Johnson, Maritime Administrator, which was not even germane to the issue. He went so far as to question the propriety of existing law authorizing the employment and payment of subsidy to safer American-flag passenger ships in the cruise trade. I hope that recognition of the problem by the President portends a more cooperative, constructive, and receptive attitude by the various executive agencies.

Now, while the President's message does not outline the mechanics of the proposed new Department of Transportation, I receive the distinct impression that we are simply establishing a ghetto of transportation agencies under a new department. If so, this is simply old wine in a new bottle. Too long has the American merchant marine, for example, wallowed in a sea of inconsistency and indecision as a result of its inferior status within the Department of Commerce. I can foresee no hope of improvement under the present proposal, if we are simply shifting responsibility for the well-being of this vital national asset to perhaps a more subordinate status under another department. I am particularly apprehensive if the fate of our shipping falls prey to the tender mercies of a Secretary of Transportation who has only an intuitive sense for the need of an American merchant marine.

Interestingly enough, the President proposes that we leave aviation subsidies with the Civil Aeronautics Board, which will maintain its independent status, while he proposes to remove the Mari-

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time Administration, which is charged with marine subsidies, and place it under the new Department of Transportation. The rationale offered is that, while this is not a regulatory function, it should remain with the CAB inasmuch as it is an integral part of the process of authorizing air carrier service. In light of the manner in which the current Maritime Administrator has been utilizing marine subsidy contracts to either allow or deny membership by American subsidized steamship lines in steamship conferences, I fall to see the distinction drawn on behalf of the CAB. It would appear that an equally meritorious case could be made out for permitting the Maritime Administration to regain its former independent status so as to enable it to discharge its statutory duties to promote the American merchant marine.

In essence, we appear to be perpetuating the same mistakes of earlier years by denying the American maritime industry an independent voice it rightfully and justly deserves. Let us at least get the industry back on the right track before subjecting it to further apparent bureaucratic morass.

I hope that my fears will be assuaged by further clarification of the mechanics of the newly proposed Department of Transportation. The mere statement that, "we will increase our efforts to bring a modern, efficient merchant marine fleet to this Nation," does not allay my apprehension. I am haunted by the vision of the past years of study, vacillation and indecision. What we need now more than ever is constructive, dedicated Federal leadership, if we are to rehabilitate the ailing American merchant marine. We have not had it in the recent past. I cannot be overly optimistic that we will get it under the President's proposal. I also hope that the President's interest in our transportation system will not wane before submitting to the Congress the new policy for our merchant marine promised to us 14 months ago in his state of the Union message of 1965. Time is fast running out if we are to avoid a tragic "ship gap" in the early and mid-1970's.

#### GENERAL LEAVE TO EXTEND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject matter of the transportation message of the President of the United States which has just been read.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### TRAFFIC SAFETY ACT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. STAGGERS] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. STAGGERS. Mr. Speaker, by request of the President and on behalf of myself, I introduce, for appropriate reference, a bill entitled "The Traffic Safety Act of 1966." This legislation would provide for a coordinated national safety program and establishment of safety standards for motor vehicles in interstate commerce to reduce traffic accidents and the deaths, injuries, and property damage which occur in such accidents. Accompanying this landmark measure which provides needed and long-awaited reforms is the President's transportation message.

Mr. Speaker, the future of transportation, the welfare of our Nation, our humanity, and our national conscience demand that we halt the wasteful slaughter which is occurring across our land. The Nation cannot continue to tolerate the human, social, and economic losses resulting from traffic accidents. Our Nation has the economic and technological resources to improve highway and traffic safety. The proposal which has been made by the President would marshal these resources into a unified national program to make highway traffic safe as well as efficient, economical, and enjoyable. We know how to build safer vehicles which will minimize the possibility and the consequences of accidents. We know how to train safer drivers and how to build safer highways. We shall now be able to put this knowledge to work in a unified safety program with the Federal Government cooperating and spearheading State, local, and private safety efforts.

While there is much that can be done there is also much that needs to be learned about the methods required to reverse the mounting toll of traffic accidents. We must, therefore, organize a national highway and traffic safety research program. This increased effort will provide us with the tools for us to meet more effectively this problem. It will become more serious as highway travel increases to more than a trillion miles a year, with 125 million drivers and 120 million vehicles in the next decade.

The President's transportation message emphasizes the seriousness of this problem by suggesting other proposals which will be undertaken immediately under authority that is already provided. In his message, he has indicated that the statutory authority is not enough. The Congress should act with urgency and dispatch to provide the necessary tools with which the Federal Government may mount a bold war against this accident problem. I strongly believe that we cannot fail to act with the same dispatch and resolute spirit as reflected in the President's action. The steps which he is now taking and the program which he has proposed are directed toward the immediate reduction of accidents and the ultimate development of a safe highway transportation system.

The President has assigned responsibility to a single agency for coordinating Federal safety programs which are now widely dispersed. Through his budget proposals he is expanding the scope and upgrading the quality of existing Federal safety efforts. There is now underway

a significant effort to create uniform national standards and provide technical assistance which will provide long-needed direction for State, local, and private safety programs.

The program proposed by the President in the Traffic Safety Act of 1966 is a followup expansion of efforts now underway. The President has proposed a significant program of grants to aid State and local safety programs within the context of the broader authority established under the provisions of Public Law 89-139. In the last session, the Congress acted wisely by its enactment of this program of long-range continued Federal-State cooperation and for the creation of coordinated national highway safety efforts. The Traffic Safety Act of 1966 will augment this broad charter by providing needed resources to support its implementation.

The President proposes a 6-year program ranging upward of \$700 million to enhance safety programs in the States and provide supporting Federal programs covering vehicle safety standards and inspection, driver education, driver licensing, advanced traffic control technology for specialized accident investigation teams, expansion of data collection efforts, and improvement in the quality and availability of police and emergency medical services.

Funds made available to the Secretary of Transportation will enable him to establish needed uniform standards to guide State efforts and will permit him to support training, fellowship grants, and research among institutions and individuals for work in all areas of traffic safety. The Secretary will be enabled to augment programs now underway in the Department of Health, Education, and Welfare to cover human factor problems involved in the highway accidents.

One of the major weaknesses in our present traffic safety effort is the lack of clear understanding of the fundamental causes of accidents. The Secretary of Transportation will be authorized to plan for facilities required to support the interdisciplinary research and testing needed by the Federal traffic safety program. This will include a national accident data information center to provide a strong basis for carrying forward needed research and operation programs. This research capability will be coordinated with programs outside the Federal Government which will be supplemented by Federal grants.

It is now clear that the Federal Government can no longer avoid responsibility for assuring that vehicles sold and used in interstate commerce are designed, manufactured, and equipped to provide optimum safety. We cannot expect the purchaser to evaluate the design and equipment of a modern automotive vehicle and determine how safe it might be.

To assure that all vehicles in the future are designed, built and equipped to minimize both the possibility and the severity of accidents, the President has proposed that authority be granted to the Secretary of Transportation to investigate and to develop safety performance criteria for automotive vehicles and their components. The creation of test facilities



within the Federal Government would provide a capability for sound and methodical measuring of highway safety factors in the interest of the general public.

The Secretary's authority to establish vehicle safety standards would not become effective for a period of 2 years, thus giving industry an opportunity to establish improved automotive safety standards voluntarily. In other modes of transportation, the Federal Government has never hesitated to assure that safety standards are provided to protect the traveling public. The industry has had notable success in its past efforts to improve the safety of the automobile. Our growing reliance upon this mode of transportation now makes it essential that all doubts be dispelled as to the safety of the automobile.

We spend nearly \$100 billion a year for highway transportation. The economic benefits of this system are measurably higher, but yearly the use of this system costs us 3 million personal injuries, nearly 50,000 lives and over \$8 billion in economic loss. Surely we can devote some small fraction of this expenditure to a program that will eliminate this economic waste and reduce this human suffering and loss.

Mr. Speaker, I include a summary of the legislation which proposes this highway safety program in the RECORD at this point:

#### TRAFFIC SAFETY ACT OF 1966—OUTLINE OF PROPOSED LEGISLATION

This bill is designed to produce a coordinated national program to reduce traffic accidents and the resulting deaths, injuries and property damage. The principal provisions of the bill are summarized as follows:

1. Unified policy responsibility for promoting national traffic safety: assigned to Secretary of Transportation.
2. Motor vehicle safety performance standards:

A. Secretary would conduct research on motor vehicle performance to (1) reduce occurrence of highway accidents, and (2) reduce death and injury when accidents do occur. He would also give grants and contract for such research;

B. Secretary would cooperate with States, industry and others in developing standards;

C. Secretary would offer training programs in testing and inspection for motor vehicle safety;

D. Secretary could issue Federal safety standards for motor vehicles and equipment after 2 years if he finds (a) no vehicle safety standard exists, or (b) existing standards provide inadequate safety protection, or (c) existing standards are not based on all necessary measurements, or (d) there is insufficient compliance with existing standards to achieve adequate safety;

E. A standard would preempt a similar State standard;

F. Standards would be mandatory on manufacturers and new car dealers not less than 180 days and not more than 2 years after issuance;

G. Standards would be enforced against manufacturers and dealers by injunction, seizure, and civil penalties.

3. Federal financial support for State highway safety programs:

A. Secretary to publish recommended uniform standards, including standards for accident records systems and traffic control;

B. Federal funds available, on 50-50 matching basis, to assist States with safety programs which meet uniform standards; how-

ever, Federal Government would not attempt to match all funds spent by the States.

C. Funds apportioned—75 percent on population basis—25 percent in Secretary's discretion (for especially promising projects or to meet critical needs of States).

NOTE.—Provision is similar to "Baldwin" amendment—but backed with Federal funds. D. National driver register service (1) Secretary would maintain a register of drivers whose names are submitted by States as individuals whose licenses have been denied, terminated, or withdrawn (except a withdrawal for less than 6 months based on habitual violation) (2) Register would be available to States and Federal agencies.

NOTE.—This provision is similar to existing law—but made applicable to denials of licenses and to withdrawals of licenses for any reason (except for withdrawals for less than 6 months based on habitual violations).

4. Increased research in highway safety:

A. Precident, accident, and postaccident research and investigation to establish relationships of driver, vehicle, and environment to cause and severity of highway accidents;

B. Research would include training and demonstrations;

C. Research would be conducted within Federal Government and, with Federal grants, by State and local authorities, institutions, and individuals.

5. Research and testing facilities:

Secretary would be authorized to construct and operate appropriate facilities in which to conduct research and testing on such items as vehicles and equipment.

6. Financing—from the highway trust fund.

A. Vehicle standards (1) Total of \$42 million for fiscal year 1968-72 (2) \$3 million in fiscal year 1967.

B. Federal-State highway safety programs (1) Total of \$380 million for fiscal years 1968-72 (2) \$40 million in 1967.

C. Research (1) Total of \$150 million for fiscal years 1968-72 (2) \$10 million in 1967.

D. Research and testing (1) \$3 million for planning in fiscal year 1967.

E. Present expenditure (1) Fiscal year 1966 appropriations for present highway safety activity (exclusive of spot improvement program of over \$100 million) is \$8.8 million.

(2) During fiscal year 1967 \$19 million will be requested for all current safety activities not in this bill exclusive of spot improvement program. (3) The bill would authorize: \$190 million new funds for highway safety research, \$420 million new funds for Federal-State highway safety programs, \$45 million new funds for vehicle standards, \$3 million new funds for planning of research and testing facilities.

#### ADDITIONAL FEDERAL JUDGES AND DISTRICTS

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 734) providing for consideration of S. 1666, a bill to provide for the appointment of additional circuit and district judges, and for other purposes, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. Res. 734

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1666) to provide for the appointment of additional circuit and district judges, and for other purposes. After general debate, which shall be confined to the bill and shall

continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The Chair recognizes the gentleman from California [Mr. Sisk] for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON] and pending that yield myself such time as I may consume.

Mr. Speaker, House Resolution 734 provides an open rule with 1 hour of general debate for consideration of S. 1666, a bill to provide for the appointment of additional circuit and district judges, and for other purposes.

The purpose of S. 1666 is to provide for the creation of additional circuit and district judges throughout the United States, and creates two new additional judicial districts in the State of California.

The Judicial Conference of the United States, at its session in March of last year, recommended the creation of 42 judgeships in the U.S. Courts of Appeals and in the U.S. district courts. Subsequently, in September, the Judicial Conference recommended two additional judges for the courts of appeals.

S. 1666, as reported by the House Judiciary Committee would create 45 new judgeships—6 circuit judges, 4 temporary circuit judgeships, 30 district judges, and 5 temporary district judges. The effective date under the Senate version for section 3 was 120 days from date of enactment. The House version would raise that to 6 months from date of enactment.

Mr. Speaker, I urge the adoption of House Resolution 734 in order that S. 1666 may be considered.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SISK. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I would like to commend the gentleman from California and through him the members of the Committee on Rules for bringing out a rule that does not waive points of order or otherwise circumscribe and circumvent the will of the House. I simply want the RECORD to show that I am complimenting the gentleman on this occasion and hope this will continue.

Mr. SISK. Mr. Speaker, I acknowledge the commendation of my good friend, the gentleman from Iowa, and I can assure him as I did his colleague, the gentleman from Missouri, yesterday that our committee will look with a great deal of concern at requests for waiving points of order and we will not waive points of order when it is not necessary to do so.

Mr. HALL. Mr. Speaker, if the gentleman will yield, I should like to associate myself with the remarks of the gentle-

man from Iowa [Mr. GROSS], and the gentleman from California [Mr. Sisk].

Mr. SISK. I thank the gentleman from Missouri for his comments.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself as much time as I may consume.

This is an important bill which the House is about to consider. It is important because it involves one of the three coordinate and coequal branches of our Federal Government.

I think the last time that this House had occasion to consider an omnibus judgeship bill was back in 1961, in the 87th Congress, at which time provision was made for 73 additional Federal and circuit judges.

As the gentleman from California has stated, this bill would provide for 45 additional judges—35 district judges, and 10 circuit judges, all but 9 of whom would be permanent members of the Federal judiciary.

The Rules Committee has just been complimented because of the type of rule that it adopted with respect to this bill. I think the Judiciary Committee deserves some commendation for its handling of this bill. I noted something like 8 days, 8 separate days, I believe, were devoted to hearings on this matter. The report seems to be detailed and complete, and I shall not take the time of the House this afternoon to explain this legislation in detail or judicial district by judicial district because I am sure the members of the committee will undertake to do that.

I do want to point out one fact. There is some disagreement over the matter of the creation of two new districts in the State of California. As I read the report, and as we heard the testimony before the Rules Committee, there was some strong language, I believe, from the Department of Justice about the lack of desirability of creating new districts. Not only would it necessitate the appointment of new marshals and new U.S. attorneys, but the very fact that the size of the present two districts would be altered caused the Attorney General's Office to feel that efficiency and economy would not thereby be promoted. In other words larger rather than smaller judicial districts are more efficiently organized.

I wish to say one more word. I am personally happy that under the provisions of this bill my own northern district of Illinois will receive an additional Federal judge. Since the passage of the bill in 1961 the report shows that case filings have increased 10 percent in the northern district of Illinois, and many of those cases are complicated, time-consuming cases that require additional judicial personnel.

So I am happy that provision has been made in this bill for the State of Illinois.

In conclusion, I suppose that any advice which we offer from the Congress, particularly from this body, with respect to the character and the qualifications of judicial appointees is in the nature of gratuitous advice. Yet it is probably not improper to express the hope that this bill will not be merely considered as a political grab bag, another case

of dipping into the patronage pork barrel to reward the party faithful.

I can recall at least two instances recently where what I would regard as unfortunate judicial appointments were made. Fortunately they were not confirmed by the other body. But I hope that this administration would use the opportunity, if this bill is passed and becomes law, to appoint men of outstanding temperament, character, and ability, so that we may see a real enhancement in the prestige of the Federal judiciary.

I include in the RECORD an editorial from the Rockford Register Republic entitled "Northern Illinois Needs One More Federal Judge."

#### NORTHERN ILLINOIS NEEDS ONE MORE FEDERAL JUDGE

Legislation creating 45 new Federal judgeships should be enacted promptly. The Northern District of Illinois is in urgent need of the new judge it would get under the bill which passed the Senate last year and is now before the House.

The measure will not accomplish its purpose of expediting and bulwarking the administration of justice, however, if President Johnson uses the legislation to pass out political plums. Justice suffers when political considerations figure heavily in the appointment of judges.

It is to be hoped that there will be no repetition of the mistakes made by the Democratic administration in the nominations of David Rabinovitch of Wisconsin and Francis X. Morrissey of Massachusetts, to the Federal judiciary. The Senate refused to confirm either of these nominations because of the unfitness of the nominees for service on the Federal bench. These were among the worst cases of misuse of the judiciary as a patronage vehicle.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I had not intended to speak on the rule, but with only 1 hour of general debate, it is sometimes difficult to get time, and I do want to ask a few questions, as well as to set forth my position on this bill.

I am opposed to the bill, and for several reasons. In the first place, I am not at all convinced from reading the hearings, as best I have been able to read them, that there is justification for an additional 45 Federal judges.

And I am opposed to increasing the numbers until action is taken to clean up the Federal judiciary—and it needs to be cleaned up.

I would say to my friend, the gentleman from New York [Mr. Celler] the chairman of the House Judiciary Committee, that this bill ought to be put over until next year. The gentleman has appointed a special subcommittee to go into the mess in the Federal judiciary in Oklahoma, and the gentleman's committee ought to have an opportunity to look into that situation and others.

Moreover, in reading the hearings, I find that the gentleman from New York, on page 29, speaking on the boundaries of the circuit courts said:

There was one amendment in 1929 when we carved the 80th circuit into the 10th. There has been no change since then. It is like the application of a horse and buggy standard to a jet propulsion age.

It seems to me that before approving additional judges, Congress ought to pay attention to what appears to be a serious defect in the makeup of the circuit courts today.

The gentleman from New York [Mr. Celler] goes on in the hearings to say:

It is ridiculous, for example, to have in the 9th circuit the States of Washington, Oregon, Idaho, California, Nevada, Arizona, and Hawaii, Alaska, and Guam as well.

I agree with him that this is an unwieldy district. He says:

That is a tremendous stretch of territory. It is unfair to the public, unfair to litigants, unfair to the lawyers and unfair to the judges, too, to continue to have that anachronism. I want the record to show this statement, and I hope word will go back to members of the Judicial Conference in that regard.

I reiterate that the investigation ought to be conducted and we ought to have the benefit of the findings in that investigation, and the changes ought to be made in the boundaries of the circuit courts before proceeding to the business of adding 45 additional judges to the 75 that were approved only a couple of years ago.

Incidentally, we were told that increase would be sufficient for a long time, but here is another bill.

Mr. Celler. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am pleased to yield to the gentleman from New York.

Mr. Celler. I want to say that the Judicial Conference is now wrestling with that very problem to which you have made reference. It is a very vexatious problem. It is going to take a considerable length of time.

Meanwhile, we are in need of these judges and it would not be proper to hold up a bill for the provision of new judges until that very comprehensive study shall have been completed.

Mr. GROSS. I wonder, since the gentleman is on his feet, just how necessary these judges are. I read the hearings and got mixed answers as to the necessity. Let me cite the gentleman one example.

The gentleman has said many times in his discussion on judgeship bills and the operation of the Federal courts that justice delayed is justice denied. Last year, a Federal judge was nominated, confirmed by the Senate, and his commission signed by the President in August, to fill a new vacancy in Arkansas. What happened?

This particular nominee did not take his office until 6 or 8 months later. What kind of business is this? If Arkansas needed a fourth Federal district judge—and I do not think it did, he was needed last August, rather than in February of this year.

So, if what the gentleman says is true, that justice delayed is justice denied, it was delayed in Arkansas. Will the gentleman agree with me?

Mr. Celler. Of course, that judgeship was filled by one of our former distinguished Members, Oren Harris, and it was felt that temporarily his services were required here as Chairman of the