

(The following correspondence, regarding administration of emergency transportation functions and Presidential authority for seizure, was submitted by Chairman Staggers:)

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
Washington, D.C., May 10, 1967.

HON. ALAN S. BOYD,
*Secretary of Transportation,
Department of Transportation,
Washington, D.C.*

DEAR MR. SECRETARY: It seems to me that the record this morning is somewhat unclear insofar as it relates to certain answers that were given to questions from Mr. Brock Adams having to do with your responsibilities as the Administrator of the Office of Defense Transportation. It is my recollection that the title of this office has changed from time to time since it was first created back in World War II, and the administration of the office also has changed from the Interstate Commerce Commission to the Office of the Under Secretary of Commerce for Transportation; but I believe that just before the creation of the Department of Transportation, there was an Office of Emergency Transportation within the Department of Commerce, which was under your aegis when you were Under Secretary of Commerce for Transportation. It had been my impression that this was a function which was transferred to you as Secretary of Transportation.

The United States Organization Manual for 1966-67 states that the activities of this office are as follows:

"This office develops and coordinates overall policies, plans, and procedures for the provision of centralized control of all modes of transportation in an emergency for the movement of passenger and freight traffic of all types and the determination of the proper apportionment and allocation of the total civil transportation capacity or any portion thereof to meet overall essential needs. Within this overall coordinating function is a special operational planning responsibility for utilizing the civil air carrier capacity, both domestically and internationally, in a national emergency."

From this quotation and on the assumption that this is a function which is now yours, it would be my assumption that you are in charge of developing procedures for the control of all modes of transportation in an emergency for the movement of passenger and freight traffic and the determination of the allocation of transportation capacity or any portion to meet the nation's essential needs. I should welcome being informed as to whether you have responsibility in this area.

In addition, I would think it appropriate for you to indicate whether among the other authorities transferred to the Secretary of Transportation there is one in which you act on behalf of the President or participate in recommending to the President the certification required under sections 1(15) and 6(8) of the Interstate Commerce Act that in time of war or threatened war it is essential to the national defense and security that certain traffic shall have preference or priority in transportation, and that the railroads and the Interstate Commerce Commission comply with such preference or priority.

Sincerely yours,

HARLEY O. STAGGERS, *Chairman.*

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,
Washington, D.C., May 18, 1967.

HON. ALAN S. BOYD,
*Secretary of Transportation,
Department of Transportation,
Washington, D.C.*

DEAR MR. SECRETARY: Thank you for sending me a copy of your letter dated May 17 to Senator Yarborough including a memorandum setting forth a series of answers to questions propounded by members of the Labor Subcommittee. I note that your answers are a result of substantial interagency discussion within the Federal government.

Without commenting upon these answers or the conclusion reached by you as a result of your interagency discussions that it would not be practical, feasible,