

2. Any signatory may withdraw from the compact upon one year's written notice to that effect to the other signatories. In the event of a withdrawal of one of the signatories from the compact, the compact shall be terminated.

3. Upon the termination of this compact, the jurisdiction over the matters and persons covered by this Act shall revert to the signatories and the Federal Government, as their interests may appear, and the applicable laws of the signatories and the Federal Government shall be reactivated without further legislation.

ARTICLE X

Each of the signatories pledges to each of the other signatory parties faithful cooperation in the solution and control of transit and traffic problems within the Metropolitan District and, in order to effect such purposes, agrees to enact any necessary legislation to achieve the objectives of the compact to the mutual benefit of the citizens living within said Metropolitan District and for the advancement of the interests of the signatories hereto.

ARTICLE XI

1. If any part or provision of this compact or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this compact or the application thereof to other persons or circumstances and the signatories hereby declare that they would have entered into this compact or the remainder thereof had the invalidity of such provision or application thereof been apparent.

2. In accordance with the ordinary rules for construction of interstate compacts, this compact shall be liberally construed to eliminate the evils described therein and to effectuate the purposes thereof.

ARTICLE XII

Transportation Covered

1. (a) This Act shall apply to the transportation for hire by any carrier of persons between any points in the Metropolitan District and to the persons engaged in rendering or performing such transportation service, except—

(1) transportation by water;

(2) transportation by the Federal Government, the signatories hereto, or any political subdivision thereof;

(3) transportation by motor vehicles employed solely in transporting school children and teachers to or from public or private schools;

(4) transportation performed in the course of an operation over a regular route, between a point in the Metropolitan District and a point outside the Metropolitan District, including transportation between points on such regular route within the Metropolitan District as to interstate and foreign commerce, if authorized by certificate of public convenience and necessity or permit issued by the Interstate Commerce Commission, and any carrier whose only transportation within the Metropolitan District is within this exemption shall not be deemed to be a carrier subject to the Compact; provided, however, if the primary function of a carrier's entire operations is the furnishing of mass transportation service within the Washington Metropolitan Area Transit District, then such operations in the Metropolitan District shall be subject to the jurisdiction of the Commission;

(5) transportation performed by a common carrier railroad subject to Part I of the Interstate Commerce Act, as amended.

(b) The provisions of this Title II shall not apply to transportation as specified in this section solely within the Commonwealth of Virginia and to the activities of persons engaged in such transportation, nor shall any provision of this Title II be construed to infringe the exercise of any power or the discharge of any duties conferred or imposed upon the State Corporation Commission of the Commonwealth of Virginia by the Virginia Constitution.

(c) Notwithstanding the provisions of paragraph (a) of this section, this Act shall apply to taxicabs and other vehicles used in performing bona fide taxicab service having a seating capacity of eight passengers or less in addition to the driver thereof with respect only to (i) the rate or charges for transportation from one signatory to another within the confines of the Metropolitan District, and (ii) requirements for minimum insurance coverage.

Definitions

2. As used in this Act—

(a) The term "carrier" means any person who engages in the transportation of passengers for hire by motor vehicle, street railroad, or other form or means of conveyance.

(b) The term "motor vehicle" means any automobile, bus, or other vehicle propelled or drawn by mechanical or electrical power on the public streets or highways of the Metropolitan District and used for the transportation of passengers.

(c) The term "street railways" means any streetcar, bus, or other similar vehicle propelled or drawn by electrical or mechanical power on rails and used for transportation of passengers.

(d) The term "taxicab" means any motor vehicle for hire (other than a vehicle operated, with the approval of the Commission, between fixed termini on regular schedules) designed to carry eight persons or less, not including the driver, used for the purpose of accepting or soliciting passengers for hire in transportation subject to this Act, along the public streets and highways, as the passengers may direct.

(e) The term "person" means any individual, firm, copartnership, corporation, company, association or joint stock association; and includes any trustee, receiver, assignee, or personal representative thereof.

General Duties of Carriers

3. It shall be the duty of every carrier to furnish transportation subject to this Act as authorized by its certificate and to establish reasonable through routes with other carriers; to provide safe and adequate service, equipment, and facilities in connection with such transportation; to establish, observe, and enforce just and reasonable individual and joint fares, and just and reasonable regulations and practices relating

thereto; and, in case of joint fares, to establish just, reasonable, and equitable divisions thereof as between the carriers participating therein which shall not unduly prefer or prejudice any of such carriers.

*Certificates of Public Convenience and Necessity;
Routes and Services.*

4. (a) No person shall engage in transportation subject to this Act unless there is in force a certificate of public convenience and necessity issued by the Commission authorizing such person to engage in such transportation; provided, however, that if any person was bona fide engaged in transportation subject to this Act on the effective date of this Act, the Commission shall issue such certificate without requiring further proof that public convenience and necessity will be served by such operation, and without further proceedings, if application for such certificate is made to the Commission within 90 days after the effective date of this Act. Pending the determination of any such application, the continuance of such operation shall be lawful.

(b) When an application is made under this section for a certificate, except with respect to a service being rendered upon the effective date of this Act, the Commission shall issue a certificate to any qualified applicant therefor, authorizing the whole or any part of the transportation covered by the application, if it finds, after hearing held upon reasonable notice, that the applicant is fit, willing and able to perform such transportation properly and to conform to the provisions of this Act and the rules, regulations, and requirements of the Commission thereunder, and that such transportation is or will be required by the public convenience and necessity; otherwise such application shall be denied. The Commission shall act upon applications under this subsection as speedily as possible. The Commission shall have the power to attach to the issuance of a certificate and to the exercise of the rights granted thereunder such reasonable terms and conditions as the public convenience and necessity may require; provided, however, that no terms, conditions, or limitations shall restrict the right of the carrier to add to his or its equipment and facilities over the

routes, between the termini, or within the territory specified in the certificate, as the development of the business and the demands of the public shall require.

(c) Application for a certificate under this section shall be made in writing to the Commission and shall be so verified, shall be in such form, and shall contain such information, as the Commission by regulations shall require. The Commission shall prescribe such reasonable requirements as to notices, publication, proof of service, and information as in its judgment may be necessary.

(d) (1) Any certificate issued by the Commission shall specify the service to be rendered and the routes over which, the fixed termini, if any, between which, and the intermediate and off-route points, if any, at which, and in case of operations not over specified routes or between fixed termini, the territory within which, the carrier is authorized to operate.

(2) A certificate for the transportation of passengers may include authority to transport in the same vehicle with the passengers, newspapers, baggage of passengers, express, or mail, or to transport baggage of passengers in a separate vehicle.

(3) To enable the provision of service for which there is an immediate and urgent need to a point or points or within a territory having no carrier service capable of meeting such need, the Commission may, in its discretion and without hearings or other proceedings, grant temporary authority for such service. Such temporary authority unless suspended or revoked for good cause, shall be valid for such time as the Commission shall specify, but for not more than an aggregate of 180 days and create no presumption that corresponding permanent authority will be granted thereafter.

(e) The Commission may, if it finds that the public convenience and necessity so require, require any person subject to this Act to extend any existing service or provide any additional service over additional routes within the Metropolitan District; provided, however, that no certificate shall be issued to operate over the routes of any holder of a certificate until it shall be proved to the satisfaction of the Commission, after hearing, upon reasonable notice, that the service rendered by

such certificate holder, over such route, is inadequate to the requirements of the public necessity and convenience; and provided, further, if the Commission shall be of opinion that the service rendered by such certificate holder over such route is in any respect inadequate to the requirements of the public necessity and convenience, such certificate holder shall be given reasonable time and opportunity to remedy such inadequacy before any certificate shall be granted to operate over such route; and further provided that no person subject to this Act may be required to extend any existing service or provide any additional service over additional routes within the Metropolitan District unless the carrier is currently earning a reasonable return on its operation as a whole in performing transportation subject to this Act.

(f) The Commission may refer to the Traffic and Highway Board created under Title I hereof any service proposed under an application for a certificate. The Board shall as speedily as possible give the Commission its recommendations with respect to the proposed service, but such recommendations shall be advisory only.

(g) Certificates shall be effective from date specified therein and shall remain in effect until suspended or terminated as herein provided. Any such certificate, may, upon application of the holder thereof, in the discretion of the Commission, be amended or revoked, in whole or in part, or may, upon complaint, or on the Commission's own initiative, after notice and hearing, be suspended, changed, or revoked, in whole or in part, for wilful failure to comply with any lawful order, rule, or regulation of the Commission, or with any term, condition, or limitation of such certificate; provided, however, that no certificate shall be revoked (except upon application of the holder) unless the holder thereof wilfully fails to comply, within a reasonable time, not less than 30 days, to be fixed by the Commission, with a lawful order of the Commission commanding obedience to the rules or regulations or orders of the Commission, or to the terms, conditions, or limitations of such certificate found by the Commission to have been violated by such holder. No certificate shall be issued to an applicant proposing to operate over the routes of any holder of a certificate

unless and until it shall be proved to the satisfaction of the Commission, after hearing upon reasonable notice, that the service rendered by such certificate holder, over such route, is inadequate to the requirements of the public convenience and necessity; and provided, further, if the Commission shall be of the opinion that the service rendered by such certificate holder over such route is in any respect inadequate to the requirements of the public convenience and necessity, such certificate holder shall be given reasonable time and opportunity to remedy such inadequacy before any certificate shall be granted to an applicant proposing to operate over such route.

(h) No certificate under this section may be transferred unless such transfer is approved by the Commission as being consistent with the public interest.

(i) No carrier shall abandon any route specified in a certificate issued to such carrier under this section, unless such carrier is authorized to do so by an order issued by the Commission. The Commission shall issue such order, if upon application by such carrier, and after notice and opportunity for hearing, it finds that the abandonment of such route is consistent with the public interest. The Commission, by regulations or otherwise, may authorize such temporary suspensions of routes as may be consistent with the public interest. The fact that a carrier is operating a route or furnishing a service at a loss shall not, of itself, determine the question of whether abandonment of the route or service over the route is consistent with the public interest as long as the carrier earns a reasonable return.

Schedule of Fares, Regulations, and Practices.

5. (a) Each carrier shall file with the Commission, and print, and keep open to public inspection, tariffs showing (1) all fares it charges for transportation subject to this Act, including any joint fares established for through routes over which it performs transportation subject to this Act in conjunction with another carrier, and (2) to the extent required by regulations of the Commission, the regulations and practices of such carrier affecting such fares. Such tariffs shall be filed, posted, and published in such form and manner, and shall

contain such information, as the Commission by regulation shall prescribe. The Commission may reject any tariff so filed which is not consistent with this section and such regulations. Any tariff so rejected shall be void.

(b) Each carrier which, immediately prior to the effective date of this section, was engaged in transportation specified in section 1 (a) of this Title II, shall file a tariff in compliance with paragraph (a) of this Section 5 within ninety (90) days after such date. The fares shown in such tariff shall be the fares which such carrier was authorized to charge, immediately prior to such date, under the law under which it was then regulated, and the regulations and practices affecting such fares which shall be shown in such tariff shall be such of the regulations and practices, then in effect under such law, as the Commission shall by regulations require. Such tariff shall become effective upon filing. Pending the filing of such tariff, the fares which such carrier was authorized to charge immediately prior to the effective date of this Act under the law under which it was then regulated, and the regulations and practices relating to such fares, shall be the lawful fares and practices and regulations.

(c) Every carrier shall keep currently on file with the Commission, if the Commission so requires, the established divisions of all joint fares for transportation subject to this Act in which such carrier participates.

(d) No carrier shall charge, for any transportation subject to this Act, any fare other than the applicable fare specified in a tariff filed by it under this section and in effect at the time. During the period before a tariff filed by it under this section has become effective, no carrier referred to in subsection (b) shall charge, for any transportation subject to this Act, any fare other than the fare which it was authorized to charge for such transportation immediately prior to the effective date of this section, under the law under which it was then regulated.

(e) Any carrier which desires to change any fare specified in a tariff filed by it under this section, or any regulation or practice specified in any such tariff affecting such a fare, shall file a tariff in compliance with this section, showing the change proposed to be made and shall give notice to the public of the

proposed change by posting and filing such tariff in such manner as the Commission may by rule, regulation or order provide. Each tariff filed under this subsection shall state a date on which the new tariff shall take effect, and such date shall be at least thirty (30) days after the date on which the tariff is filed, unless the Commission by order authorizes its taking effect on an earlier date.

Power to Prescribe Fares, Regulations, and Practices

6. (a) (1) The Commission, upon complaint or upon its own initiative, may suspend any fare, regulation, or practice shown in a tariff filed with it under Section 5 (except a tariff to which Section 5 (b) applies), at any time before such fare, regulation, or practice would otherwise take effect. Such suspension shall be accomplished by filing with the tariff, and delivering to the carrier or carriers affected thereby, a notification in writing of such suspension. In determining whether any proposed change shall be suspended, the Commission shall give consideration to, among other things, the financial condition of the carrier, its revenue requirements, and whether the carrier is being operated economically and efficiently. The period of suspension shall terminate ninety (90) days after the date on which the fare, regulation, or practice involved would otherwise go into effect, unless the Commission extends such period as provided in paragraph (2).

(2) If, after hearing held upon reasonable notice, the Commission finds that any fare, regulation or practice relating thereto, so suspended is unjust, unreasonable, or unduly preferential or unduly discriminatory either between riders or sections of the Metropolitan District, it shall issue an order prescribing the lawful fare, regulation, or practice to be in effect. The fare, regulation, or practice so prescribed shall take effect on the date specified in such order. If such an order has not been issued within the ninety (90) day suspension period provided for in paragraph (1), the Commission may from time to time extend such period, but in any event the suspension period shall terminate, no later than one hundred and twenty (120) days after the date the fare, regulation or practice involved was suspended. If no such order is issued within

the suspension period (including any extension thereof), the fare, regulation or practice involved shall take effect at the termination of such period.

(3) In the exercise of its power to prescribe just and reasonable fares and regulations and practices relating thereto, the Commission shall give due consideration, among other factors, to the inherent advantages of transportation by such carriers; to the effect of rates upon the movement of traffic by the carrier or carriers for which the rates are prescribed; to the need, in the public interest, of adequate and efficient transportation service by such carriers at the lowest cost consistent with the furnishing of such service; and to the need of revenues sufficient to enable such carriers, under honest, economical, and efficient management, to provide such service.

(4) It is hereby declared as a matter of legislative policy that in order to assure the Washington Metropolitan District of an adequate transportation system operating as private enterprises the carriers therein, in accordance with standards and rules prescribed by the Commission, should be afforded the opportunity of earning such return as to make the carriers attractive investments to private investors. As an incident thereto, the opportunity to earn a return of at least 6½ per centum net after all taxes properly chargeable to transportation operations, including but not limited to income taxes, on gross operating revenues, shall not be considered unreasonable.

(b) Whenever, upon complaint, or upon its own initiative, and after hearing held upon reasonable notice, the Commission finds that any individual or joint fare in effect for transportation subject to this Act, or any regulation or practice affecting such fare, is unjust, unreasonable or unduly preferential or unduly discriminatory, the Commission shall issue an order prescribing the lawful fare, regulation, or practice thereafter to be in effect.

Through Routes, Joint Fares

7. (a) In order to encourage and provide adequate transit service on a Metropolitan District-wide basis, any carrier may establish through routes and joint fares with any other carrier subject to this Act or the jurisdiction of the Interstate Com-

merce Commission, the State Corporation Commission of the Commonwealth of Virginia, or the Public Service Commission of the State of Maryland.

(b) Whenever required by the public convenience and necessity, the Commission, upon complaint or upon its own initiative, and after hearing held upon reasonable notice, may establish through routes and joint fares for transportation subject to this Act, and the regulations or practices affecting such fares, and the terms and conditions under which such through routes shall be operated.

(c) Whenever, upon complaint or upon its own initiative, and after hearing upon reasonable notice, the Commission is of the opinion that the divisions of any joint fare for transportation subject to this Act are or will be unjust, unreasonable, inequitable, or unduly preferential or prejudicial as between the participating carriers, the Commission shall prescribe the just, reasonable and equitable divisions thereof to be received by the participating carriers. The Commission may require the adjustment of divisions between such carriers from the date of filing the complaint or entry of the order of investigation, or such other date subsequent thereto as the Commission finds to be just, reasonable and equitable.

Taxicab Fares

8. The Commission shall have the duty and the power to prescribe reasonable rates for transportation by taxicab only between a point in the jurisdiction of one signatory party and a point in the jurisdiction of another signatory party provided both points are within the Metropolitan District. The fare or charge for such transportation may be calculated on a mileage basis, a zone basis, or on any other basis approved by the Commission; provided, however, that the Commission shall not require the installation of a taximeter in any taxicab when such a device is not permitted or required by the jurisdiction licensing and otherwise regulating the operation and service of such taxicab.

Security for the Protection of the Public

9. (a) No certificate of public convenience and necessity shall be issued under Section 4, and no certificate issued under

such section shall remain in force, unless the person applying for or holding such certificate complies with such reasonable regulations as the Commission shall prescribe governing the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer or other securities or agreements, in such reasonable amount as the Commission may require, conditioned to pay, within the amount of such surety bonds, policies of insurance, qualifications as a self-insurer or other securities or agreements, any final judgment recovered against such carrier for bodily injuries to or the death of any person, or for loss or damage to property of others, resulting from the operation, maintenance, or use of motor vehicles, street cars, or other equipment or facilities utilized in furnishing transportation subject to this Act.

(b) No taxicab shall be permitted to transport passengers between a point in the jurisdiction of a signatory to a point in the jurisdiction of another signatory within the Metropolitan District unless the taxicab and the person or persons licensed by any signatory to own and/or operate such taxicab shall comply with such reasonable regulations as the Commission shall prescribe governing the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer, or other securities or agreements, in such reasonable amount as the Commission may require, conditioned to pay within the amount of such surety bonds, policies of insurance, qualifications as a self-insurer or other securities or agreements, any final judgment recovered against such taxicab for bodily injuries to or the death of any person, or for loss or damage to property of others, resulting from the operation, maintenance or use of taxicabs utilized in furnishing transportation subject to this Act.

Accounts, Records and Reports; Depreciation

10. (a) The Commission may require annual or other periodic reports, and special reports, from any carrier; prescribe the manner and form in which such reports shall be made; and require from any such carrier specific answers to all questions upon which the Commission deems information to be neces-

sary. Such reports shall be under oath whenever the Commission so requires.

(b) Each carrier subject to the Commission shall keep such accounts, records, and memoranda with respect to activities in which it is engaged (whether or not such activities constitute transportation subject to this Act), including accounts, records, and memoranda of the movement of traffic, as well as of the receipts and expenditures of money, as the Commission by regulation prescribes. The Commission shall by regulation prescribe the form of such accounts, records, and memoranda, and the length of time that they shall be preserved.

(c) The Commission shall prescribe regulations requiring carriers to maintain appropriate accounting reserves against depreciation. The Commission may prescribe the classes of property for which depreciation charges may properly be included under operating expenses and the rate of depreciation which shall be charged with respect to each of such classes of property, and may classify the carriers as it may deem proper for this purpose. The Commission may, when it deems necessary, modify the classes and rates so prescribed. Carriers shall not charge to operating expenses any depreciation charges on classes of property other than those prescribed by the Commission, or charge with respect to any class of property a rate of depreciation other than that prescribed therefor by the Commission, and no carrier shall include under operating expenses any depreciation charge other than as prescribed by the Commission.

(d) At all times the Commission and each of its members shall have access to all lands, buildings, and equipment of all carriers, and to all accounts, records, and memoranda kept by such carriers. When authorized by the Commission to do so, any employee of the Commission may inspect any such land, buildings, equipment, accounts, records, and memoranda. This section shall apply, to the extent found by the Commission to be reasonably necessary for the administration of this Act, to any person controlling, controlled by or under common control with, any carrier.

(e) Any carrier which operates both inside and outside of the Metropolitan District and which has its principal office out-

side of the Metropolitan District, may keep all of its accounts, records, and memoranda at such principal office but shall produce such accounts, records, and memoranda before the Commission whenever the Commission shall so direct.

(f) Nothing in this section shall relieve any carrier from the obligations imposed upon it with respect to the matters covered in this section by any State or Federal regulatory commission in connection with transportation service rendered outside the Metropolitan District.

Issuance of Securities

11. (a) As used in this section the term "securities" means stocks; stock certificates; or bonds, mortgages, other evidences of indebtedness payable in more than one year from date of issuance, except obligations covered by conditional sales contracts, or any guaranty of or assumption of liability on any of the foregoing.

(b) Subject to subsection (g) of this section, no carrier subject to this Act shall issue any securities, or directly or indirectly receive any money, property, or services in payment of securities issued or to be issued by it, until the Commission, by order, shall have approved the issuance of such securities.

(c) Upon application made to it by any such carrier for approval of the issuance of securities, the Commission, after affording reasonable opportunity for hearing to interested parties, shall by order approve or disapprove the issuance of such securities. The Commission shall give its approval if it finds that the proposed issuance of securities is not contrary to the public interest.

(d) Any such order of the Commission approving the issuance of securities shall specify the purposes for which the proceeds from the sale or other disposition thereof are to be used and the terms and conditions under which such securities shall be issued and disposed of. It shall be unlawful for the applicant to apply such proceeds, or to issue or dispose of such securities, in any manner other than as specified by the Commission in its order.

(e) Any securities issued in violation of this section shall be void.

(f) Nothing in this Act shall impair any authority of the Interstate Commerce Commission, the Public Service Commission of Maryland, or the State Corporation Commission of Virginia to regulate the issuance of securities by any carrier which does not operate exclusively in the Metropolitan District, or relieve any carrier from the obligations imposed by the Securities Act of 1933, as amended (Act of May 27, 1933, C. 38 Title I, 48 Stat. 74, as amended), or from the obligations imposed by any Blue Sky or similar laws of the signatories.

(g) The Commission may by regulation, order or otherwise, to the extent deemed by it to be consistent with the public interest, exempt from the operation of this section any carrier which does not operate exclusively in such area and which, before issuing securities, must obtain the approval of the Interstate Commerce Commission, the Public Service Commission of Maryland, or the State Corporation Commission of Virginia.

Consolidations, Mergers, and Acquisition of Control

12. (a) It shall be unlawful, without approval of the Commission in accordance with this section—

(1) for two or more carriers, any one of which operates in the Metropolitan District, to consolidate or merge their properties or franchises, or any part thereof, into one person for the ownership, management, or operation of properties theretofore under separate ownership, management, or operation; or

(2) for any carrier which operates in the Metropolitan District or any person controlling, controlled by, or under common control with, such a carrier (i) to purchase, lease, or contract to operate the properties, or any substantial part thereof, of any carrier which operates in such Metropolitan District, or (ii) to acquire control, through ownership of its stock or otherwise, of any carrier which operates in such Metropolitan District.

(b) Any person seeking approval of any transaction to which subsection (a) applies shall make application to the Commission in accordance with such regulations as the Commission shall prescribe. If, after hearing held upon reasonable notice, the Commission finds that, subject to such terms, con-

ditions, and modifications as it shall find to be necessary, the proposed transaction is consistent with the public interest, it shall enter an appropriate order approving and authorizing such transaction as so conditioned.

(c) It shall be unlawful to continue to maintain or exercise any ownership, management, operation or control accomplished or effectuated in violation of subsection (a) of this section.

(d) Pending the determination of an application filed with the Commission for approval of a consolidation or merger of the properties of two or more carriers, or of a purchase, lease, or contract to operate the properties of one or more carriers, the Commission may, in its discretion, and without hearings or other proceedings, grant temporary approval, for a period not exceeding 180 days of the operation of the carrier properties sought to be acquired by the person proposing in such pending application to acquire such properties, if it shall appear that failure to grant such temporary approval may result in destruction of or injury to such carrier properties sought to be acquired, or to interfere substantially with their future usefulness in the performance of adequate and continuous service to the public.

Complaints and Investigations by the Commission

13. (a) Any person may file with the Commission a complaint in writing with respect to anything done or omitted to be done by any person in contravention of any provision of this Act, or of any requirement established pursuant thereto. If the person complained against shall not satisfy the complaint and there shall appear to be any reasonable grounds for an investigation, the Commission shall investigate the matters complained of. Whenever the Commission is of the opinion that any complaint does not state facts which warrant action on its part, it may dismiss the complaint without hearing. At least ten (10) days before the date it sets a time and place for a hearing on a complaint, the Commission shall notify the person complained of that the complaint has been made.

(b) The Commission may investigate any facts, conditions, practices, or matters which it may find necessary or proper in order to determine whether any person has violated or is about

to violate any provision of this Act or any rule, regulation, or order thereunder, or to aid in the enforcement of the provisions of this Act or in prescribing rules or regulations thereunder, or in obtaining information to serve as a basis for recommending further legislation. The Commission shall have the same power to proceed with any investigation instituted on its own motion as though it had been appealed to by complaint.

(c) If, after affording to interested persons reasonable opportunity for hearing, the Commission finds in any investigation instituted upon complaint or upon its own initiative, that any person has failed to comply with any provision of this Act or any requirement established pursuant thereto, the Commission shall issue an appropriate order to compel such person to comply therewith.

(d) For the purpose of any investigation or any other proceeding under this Act, any member of the Commission, or any officer designated by it, is empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records which the Commission finds relevant or material to the inquiry.

Hearings; Rules of Procedure

14. Hearings under this Act may be held before the Commission, any member or members thereof, or any representative of the Commission designated by it, and appropriate records thereof shall be kept. All hearings, investigations, and proceedings under this Act shall be governed by rules of practice and procedure to be adopted by the Commission, and in the conduct thereof the technical rules of evidence need not be applied. No informality in any hearing, investigation, or proceeding or in the manner of taking testimony shall invalidate any order, decision, rule, or regulation issued under the authority of this Act.

Administration Powers of Commission; Rules, Regulations and Orders

15. The Commission shall have power to perform any and all acts, and to prescribe, issue, make, amend, and rescind such

orders, rules, and regulations as it may find necessary or appropriate to carry out the provisions of this Act. Such rules and regulations may prescribe the form or forms of all statements, declarations, applications, and reports to be filed with the Commission, the information which they shall contain, and the time within which they shall be filed. Unless a different date is specified therein, rules and regulations of the Commission shall be effective thirty (30) days after publication in the manner which the Commission shall prescribe. Orders of the Commission shall be effective on the date and in the manner which the Commission shall prescribe. For the purposes of its rules and regulations, the Commission may classify persons and matters within its jurisdiction and prescribe different requirements for different classes of persons or matters. All rules and regulations of the Commission shall be filed with its secretary and shall be kept open in convenient form for public inspection and examination during reasonable business hours.

Reconsideration of Orders

16. Any person affected by any final order or decision of the Commission may, within thirty days after the publication thereof, file with the Commission an application in writing requesting a reconsideration of the matters involved, and stating specifically the errors claimed as grounds for such reconsideration. No person shall in any court urge or rely on any ground not so set forth in such application. The Commission, within thirty (30) days after the filing of such application, shall either grant or deny it. If such application is granted, the Commission, after giving notice thereof to all interested persons, shall, either with or without hearing, rescind, modify, or affirm its order or decision. The filing of such an application shall act as a stay upon the execution of the order or decision of the Commission until the final action of the Commission upon the application, except that upon written consent of the applicant such order or decision shall not be stayed unless otherwise ordered by the Commission. No appeal shall lie from any order of the Commission until an application for reconsideration has been made and determined.

Judicial Review

17. (a) Any party to a proceeding under this Act aggrieved by an order issued by the Commission in such proceeding may obtain a review of such order in the court of appeals of the United States for the fourth circuit, or in the United States Court of Appeals for the District of Columbia, by filing in such court, within sixty (60) days after the order of the Commission upon the application for rehearing, a written petition praying that the order of the Commission be modified or set aside. A copy of such petition shall forthwith be served upon any member of the Commission and thereupon the Commission shall certify and file with the court a transcript of the record upon which the order complained of was entered. Upon the filing of such transcript such court shall have exclusive jurisdiction to affirm, modify, or set aside such order. The finding of the Commission as to the facts, if supported by substantial evidence, shall be conclusive. If any party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the proceedings before the Commission, the court may order such additional evidence to be taken before the Commission and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The Commission may modify its findings as to the facts by reason of the additional evidence so taken, and it shall file with the court such modified or new findings, which if supported by substantial evidence, shall be conclusive, and its recommendation, if any, for the modification or setting aside of the original order. The court may affirm or set aside any such order of the Commission, and state the reasons therefor, and such judgment shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in §§ 239 and 240 of the Judicial Code, as amended (U.S.C. Title 28, §§ 346 and 347).

(b) The commencement of proceedings under subsection (a) of this section shall not, unless specifically ordered by the court, operate as a stay of the Commission's order.

(c) The Commission shall not, nor shall any of its members, officers, agents, or employees, be taxed with any costs, nor shall they or any of them be required to give any supersedeas bond or security for cost or damages on any appeal whatsoever taken under this compact. Said Commission, or any of its members, officers, agents, or employees, shall not be liable to suit or action or for any judgment or decree for any damages, loss, or injury claimed by any person resulting from action taken under this compact, nor required in any case arising under this compact to make any deposit for costs or pay for any service to the clerks of any court or to the marshal of the United States.

Enforcement of Act; Penalty for Violations

18. (a) Whenever it shall appear to the Commission that any person is engaged or about to engage in any acts or practices which constitute or will constitute a violation of the provisions of this Act, or of any rule, regulation, or order thereunder, it may, in its discretion, bring an action in the United States District Court for any district in which such person resides or carries on business or in which the violation occurred, to enjoin such acts or practices and to enforce compliance with this Act or any rule, regulation or order thereunder, and upon a proper showing a permanent or temporary injunction or decree or restraining order shall be granted without bond.

(b) Upon application of the Commission, the United States District Court for any district in which such person resides or carries on business, or in which the violation occurred, shall have jurisdiction to issue appropriate order or orders commanding any person to comply with the provisions of this Act or any rule, regulation, or order of the Commission thereunder.

(c) The Commission may employ such attorneys as it finds necessary for proper legal aid and service of the Commission or its members in the conduct of their work, or for proper representation of the public interest in investigations made by it, or cases or proceedings pending before it, whether at the Commission's own instance or upon complaint, or to appear

for or represent the Commission in any case in court; and the expenses of such employment shall be paid out of any funds of the Commission.

(d) Any person knowingly and wilfully violating any provisions of this statute, or any rule, regulation, requirement, or order thereto, or any term or condition of any certificate shall, upon conviction thereof, be fined not more than \$100 for the first offense and not more than \$500 for any subsequent offense. Each day of such violation shall constitute a separate offense.

Expenses of Investigations and Other Proceedings

19. (a) All reasonable expenses of any investigation, or other proceeding of any nature, conducted by the Commission, of or concerning any carrier, and all expenses of any litigation, including appeals, arising from any such investigation or other proceeding, shall be borne by such carrier. Such expenses, with interest at not to exceed 6 per centum (6%) per annum may be charged to operating expenses and amortized over such period as the Commission shall deem proper and be allowed for in the rates to be charged by such carrier. When any such investigation or other proceeding has been initiated it shall be the duty of the carrier to pay to the Commission, from time to time, such reasonable sum or sums as, in the opinion of the Commission, are necessary to cover the expenses which by this section are required to be borne by such carrier. The money so paid by the carrier shall be deposited in the name and to the credit of the Commission, in any bank or other depository located in the Metropolitan District designated by the Commission, and may be disbursed by the Commission for the purpose of defraying expenses of the investigation, proceeding or litigation in question. Any unexpended balance of the sum or sums so paid by such carrier remaining after the payment of such expenses shall be returned to such carrier.

(b) The amount expended by the Commission in any calendar year in all investigations or other proceedings of or concerning any one carrier shall not exceed—

(1) One-half of one per centum of the gross operating revenues of such carrier, derived from transportation subject

to this Act, for its last preceding fiscal year; or

(2) In the case of a carrier which was not engaged in such transportation during the whole of its last preceding fiscal year, one-half of 1 per centum of the average gross operating revenues, derived from transportation subject to this Act, of all other carriers (exclusive of carriers to which this subparagraph (2) applies) for their last preceding fiscal year.

(c) For the purpose of subsections (a) and (b) of this section—

The provisions of this section shall apply to any person engaged in transportation subject to the Act and any person who makes application under Section 4 for a certificate of public convenience and necessity.

Applicability of Other Laws

20. (a) Upon the date this Act becomes effective, the applicability of all laws of the signatories, relating to or affecting transportation subject to this Act and to persons engaged therein, and all rules, regulations and orders promulgated or issued thereunder, shall except to the extent in this Act specified, be suspended, except that—

(1) The laws of the signatories relating to inspection of equipment and facilities, wages and hours of employees, insurance or similar security requirements, school fares, and free transportation for policemen and firemen shall remain in force and effect.

(2) Upon the date this Act becomes effective, Certificates of Public Convenience and Necessity or Permits issued by the Interstate Commerce Commission to any carrier subject to the jurisdiction of this Commission shall be suspended only during the existence of this compact, provided such suspension shall not affect the authority of such certificate or permit holder to transport special and chartered parties as now authorized by the Interstate Commerce Act and the rules and regulations promulgated thereunder by the Interstate Commerce Commission, notwithstanding any other provisions of this Act.

(b) In the event any provision or provisions of this Act exceed the limits imposed upon the legislature of any signa-

tory by the Constitution of such signatory, the obligations, duties, powers, or jurisdiction sought to be conferred by such provision or provisions upon the Commission shall be ineffective and such obligations, duties, powers or jurisdiction shall remain in the signatory and shall be exercised by the agency thereof to which such obligations, duties, powers or jurisdiction are delegated by law in effect at the time this compact becomes effective. Such agency, however, in order to achieve the objective of this compact to effectuate the regulation of mass transit on a unified and coordinated basis throughout the Metropolitan District, shall refer to the Commission for its recommendations all matters arising under this Title so reserved to such signatory and all matters exempted from this Title pursuant to the proviso clause of Section 1 (b) of this Title. The recommendations of the Commission with respect to such matters shall be advisory only.

Existing Rules, Regulations, Orders, and Decisions

21. All rules, regulations, orders, decisions, or other action prescribed, issued, made, or taken by the Interstate Commerce Commission, the Public Utilities Commission of the District of Columbia, the Public Service Commission of Maryland, or the State Corporation Commission of Virginia, and which are in force at the time this section takes effect, with respect to transportation or persons subject to this Act, shall remain in effect, and be enforceable under this Act, shall remain in effect, and be enforceable under this Act, in the manner specified by this Act, according to their terms, as though they had been prescribed, issued, made, or taken by the Commission pursuant to this Act, unless and until otherwise provided by such Commission in the exercise of its powers under this Act.

Transfer of Records

22. The Public Utilities Commission of the District of Columbia, the Interstate Commerce Commission, the State Corporation Commission of Virginia, and the Public Service Commission of Maryland shall transfer or make available to the Commission such of their records as pertain to matters which by this Act are placed under the jurisdiction of the latter Commission.

Pending Actions or Proceedings

23. (a) No suit, action, or other judicial proceeding commenced prior to the date this Act takes effect by or against the Public Utilities Commission of the District of Columbia, the Interstate Commerce Commission, the Public Service Commission of Maryland, or the State Corporation Commission of Virginia, or any officer of any such commission in his official capacity or in relation to his discharge of official duties, shall be affected by the enactment of this compact and same shall be prosecuted and determined in accordance with the law applicable at the time such proceeding was commenced.

(b) To the extent that the Commission determines such action to be necessary or appropriate in the exercise of the powers and duties vested in or imposed upon it by this Act, such Commission shall continue and carry to a conclusion any proceeding, hearing, or investigation which, at the time this compact takes effect, is pending before the Public Utilities Commission of the District of Columbia, the Interstate Commerce Commission, the Public Service Commission of Maryland, or the State Corporation Commission of Virginia. In the event the Commission assumes jurisdiction in any such case, it shall be governed by the provisions of this compact and not by the provisions of law applicable at the time the proceedings were instituted.

Annual Report of the Commission

24. The Commission shall make an annual report for each fiscal year ending June Thirtieth, to the Governor of Virginia and the Governor of Maryland, and to the Board of Commissioners of the District of Columbia as soon as practicable after June thirtieth, but no later than the 1st day of January of each year, which shall contain, in addition to a report of the work performed under this Act, such other information and recommendations concerning passenger transportation within the Metropolitan District, as the Commission deems advisable.

NOW, THEREFORE, we, Albertis S. Harrison, Jr., Governor of the Commonwealth of Virginia, J. Millard Tawes, Governor of the State of Maryland, and Walter N.

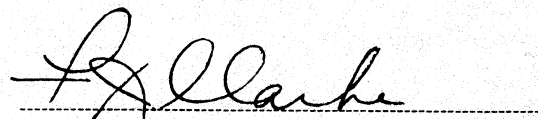
Tobriner, F. J. Clarke, Brigadier General, U. S. Army and John B. Duncan, Members of the Board of Commissioners of the District of Columbia do hereby execute the foregoing amended Washington Metropolitan Area Transit Regulation Compact.

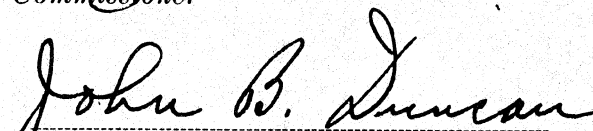
DISTRICT OF COLUMBIA

Pursuant to the Joint Resolution approved October 9, 1962 (Public Law 87-767, 76 Stat. 764) and to the Resolution adopted by the Board of Commissioners of the District of Columbia, done at Washington, D. C., this 29th day of March, 1963.

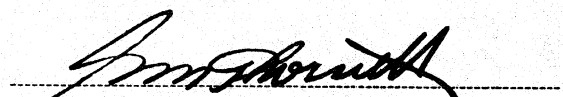

President, Board of Commissioners

(SEAL)


Commissioner

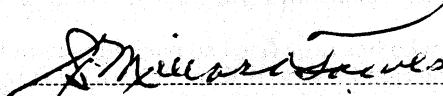

Commissioner

Attest:


Secretary, Board of Commissioners, D. C.

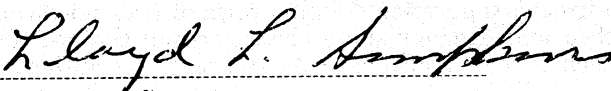
MARYLAND

Pursuant to Chapter 114, Acts of General Assembly of Maryland, 1962, done at Annapolis, Maryland, this 29th day of March, 1963.


Governor

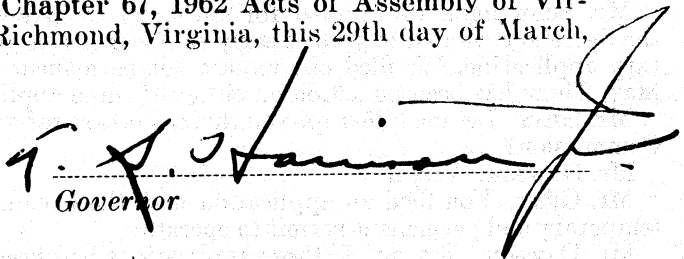
(SEAL)

Attest:


Secretary of State

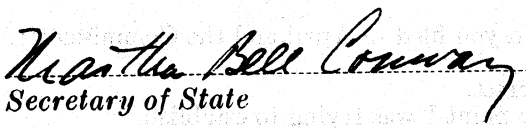
VIRGINIA

Pursuant to Chapter 67, 1962 Acts of Assembly of Virginia, done at Richmond, Virginia, this 29th day of March, 1963.


Governor

(SEAL)

Attest:


Secretary of State

Mr. DAWSON. We appreciate the opportunity of appearing before this committee and realize the privilege that we have.

Let me make it clear at the very outset, however, that D.C. Transit is in favor of the general purposes of this legislation.

You gentlemen are to be commended on your leadership in proceeding to its fruition. When the Visitor Center is completed, it will be a monument to your vision and your hard work, a very constructive monument.

Any sightseer who has ever tried to park his car in the Mall area, the chief tourist attraction here, will wholeheartedly support the proposed construction of a parking facility adjacent to the Visitor Center for parking.

As operator of the primary public transportation system in the Capital, Mr. Chalk desires that I assure you that a special minibus service, or any other needed service, offering frequent departures, will be provided by D.C. Transit System from such parking facility to and through the Mall area to encourage visitors to leave their cars at the National Visitor Center, thereby reducing the growing traffic congestion in downtown Washington.

Let me say that we are in perfect agreement with Mr. Wright's suggestion and the chairman's suggestion that any form of transportation be of a distinguished and distinguishing character and that we are ready to provide such type of transportation whenever the authority is granted.

For example, D.C. Transit today has 25 new buses that are being delivered for service in the city of Washington.

I want to say also, Mr. Chairman, that we were all ready to provide this service.

Mr. Schwengel, we applied for authority to give such service as the Secretary wanted to give as early as April of this year in a temporary application. We filed our request for permanent certification in May. There has been no action on either of those applications.

Mr. GRAY. Let me interrupt you there. You are referring now to the Commission?

Mr. DAWSON. Yes, sir.

Mr. GRAY. You filed an application with the Commission both for temporary and permanent permit to operate?

Mr. DAWSON. Yes, sir. If those applications had been expeditiously acted upon, the services would be performed today as the Secretary might desire.

Mr. GRAY. So this is not a matter, as Mr. Avery pointed out, "that gets expeditious handling"?

You have to admit that, would you not?

Mr. DAWSON. The record will have to speak for itself.

Mr. GRAY. Applied in April and this is October. I think that is quite a long period.

Mr. SCHWENGEL. You mean you filed in April and the Commission has not yet acted?

Mr. DAWSON. That is correct.

Mr. GRAY. That is the very point I was trying to establish.

You may proceed.

Mr. DAWSON. Now, we must say also that D.C. Transit System is seriously concerned about section 5 of the bill. Now, this section has no

direct bearing on the general purpose of H.R. 12686 of authorizing the construction of a National Visitor Center and a parking facility adjacent thereto. This section seemingly is an attempt to circumvent a recent decision of the U.S. Court of Appeals for the District of Columbia and a recent Presidential memorandum, and a congressionally approved transportation compact. Additionally, this section will result in an infringement of D.C. Transit's congressionally approved franchise and deprive the company of sorely needed revenue.

In the *Washington Metropolitan Area Transit Commission, et al., v. Universal Interpretive Shuttle Corporation*, the court of appeals considered, among other things, the authority of the Secretary of the Interior under the act of May 26, 1930, cited in section 5. That act of 1930 authorizes the Secretary to contract for services to be provided the public in the national parks.

The Secretary had contracted with Universal for the provision of a for-hire shuttle service on the Mall, a part of the national park system under the Secretary's jurisdiction.

Mr. GRAY. I apologize for interrupting.

When you refer to Universal, you are referring to the concessionaire?

Mr. DAWSON. That is correct.

Mr. GRAY. Universal is the name of the company?

Mr. DAWSON. That is correct. The full name is Universal Interpretive Shuttle Corp.

Mr. GRAY. I wanted that to be clearly understood by the committee; "Universal" means the name of the company that the Secretary has entered into an agreement with for the interpretive shuttle service.

Mr. SCHWENGEL. And it was a private company, not a Government operation? It is a concessionaire completely outside of Government, free enterprise?

Mr. DAWSON. Mr. Schwengel, the Secretary's contention was it was a Government operation, and that was the basis of his brief filed with the court of appeals.

Mr. SCHWENGEL. Universal is a private enterprise company? They were providing the buses?

Mr. DAWSON. It is a private company. The Secretary's contention was it was a Government operation.

Mr. GRAY. I believe the company is in California.

Mr. DAWSON. It is a California-based company.

Mr. GRAY. Yes.

Mr. DAWSON. Now, the Mall is a part of the national park system under the Secretary's jurisdiction. It was contended by the Secretary that such operation does not require certification by the Washington Metropolitan Area Transit Commission pursuant to the requirements of the area compact approved by the Congress in 1960.

The Secretary's contention consisted of three premises: The first, that the compact does not apply to any national park areas under the Secretary's jurisdiction; the second, that the proposed service will actually be operated by the Federal Government, which is specifically excepted from the compact; and the third, that the Secretary has the statutory authority to operate a for-hire transportation service.

By a decision of June 30 his year, the court of appeals rejected such premises, holding that Universal's operation could not validly be

conducted without a certificate from the Transit Commission. A petition for rehearing was rejected en banc October 3.

This decision makes it clear that the Transit Commission has paramount regulatory jurisdiction over for-hire motor carriage of passengers performed anywhere within the Washington metropolitan area.

Now, the language of section 5 appears to attempt a circumvention of the court of appeals decision by directing the Secretary, when he deems it advisable, to utilize the authority in the act of 1930 to provide transportation of visitors by the United States.

Such language, if enacted, might well be construed by the courts as constituting a congressional authorization for the Secretary to operate, through contractual arrangements, for-hire transportation services on and to Federal enclaves under his jurisdiction in the District of Columbia. Such construction would exempt these services from the application of the compact and the jurisdiction of the Transit Commission.

In my statement, which you have before you, I have stated the wording of the Senate report accompanying the compact legislation, which indicates the intent of Congress to centralize legislation in one single agency for the stated purposes.

As a practical matter, the ability of the Transit Commission to regulate transit service and alleviate traffic congestion will be substantially impaired if it has no control over passenger operations on the Mall and to the contemplated National Visitor Center at Union Station. The same compartmentalized regulation will exist that the compact was intended to replace.

Section 5 will also contravene the administrative guidelines established by the Presidential memorandum on March 3, 1966, and the accompanying Budget Bureau circular to determine when the Government should provide services.

As noted in paragraph 2 of the circular, the guidelines are "in furtherance of the Government's general policy of relying on the private enterprise system to supply its needs."

Several instances are specified under paragraph 5, on pages 2 through 6 of the circular, as justifying a departure from such general policy. None of these instances is applicable to the provision of public transportation on the Mall and to the Visitor Center.

In this connection, Mr. Chalk desires to assure the subcommittee that D.C. Transit stands ready, willing and able to provide any transportation services needed by the Secretary for the accommodation of visitors to the Capital. There is simply no reason for the Secretary to be directed by the Congress to disregard the mandate of the President expressed in his memo of March 3, 1966, and the accompanying Budget Bureau circular.

Let me digress for a moment, Mr. Chairman and members of the committee, that D.C. Transit is perhaps in the most favorable position to provide such service, because it is a home-based company. It has personnel. It has equipment that is in existence. And it has maintenance facilities second to none. It has had experience in the local area for the last 10 years.

Mr. SCHWENGEL. Mr. Chairman.

Mr. GRAY. Yes.

Mr. SCHWENGEL. I would like to ask a question at this point.

You made application to the Commission for the service that was under discussion here. Did you make application to the Secretary? Did you talk to him about it?

Mr. DAWSON. The application was made to the Secretary as well.

Mr. SCHWENGEL. Did you get any response to this?

Mr. DAWSON. Mr. Davis, can you answer that?

Mr. DAVIS. Yes, sir.

The Secretary, through the Director of National Parks, put out a prospectus and invited certain people to bid. D.C. Transit was not the successful bidder; Universal was.

Mr. GRAY. You did bid, though?

Mr. DAVIS. We did bid, that is correct; but we were not awarded the contract.

Mr. SCHWENGEL. Universal was granted the right to serve by the Secretary? Then the debate ensued on where it should be—

Mr. DAVIS. The Secretary gave Universal a contract.

Mr. SCHWENGEL. Yes. But you had a chance and you did go to the Secretary's office?

Mr. DAVIS. We were invited to participate and did participate. We were not the successful parties.

Mr. GRAY. Have you any idea how much lower the other bid was from you, percentage-wise?

Mr. DAVIS. No, sir; that was not made public to us. But the Commission said they took other factors into consideration.

Mr. GRAY. You do not know whether there was solely a dollar or cent consideration or could it be they felt these people were going to provide buses with more glass, equipment—more attractive, and so forth?

Mr. DAVIS. To be of aid to you, sir, in the prospectus, they suggested the price, the tour, and the type of equipment. I know D.C. Transit did file with the Secretary of the Interior drawings of buses, plans of buses, routes, and prices, all in accordance with the suggestions and the guidelines laid down in the prospectus by the Secretary of the Interior. So those factors were not really the underlying factors which led to the determination of the successful party.

Mr. GRAY. General Dawson, you are a very eminent lawyer. What is your opinion concerning the right of Congress to change this compact and circumvent, if we so choose, the necessity of going to the Commission, either by you or by some other concessionaire?

Do you concede we have the authority to allow the Secretary to enter into a contract with a private concessionaire, whomever that private concessionaire may be?

Mr. DAWSON. Mr. Chairman, let me say that the Compact Act in 1960 suspended application of all Federal laws up to that time. Presumably that suspension will be in effect as long as the compact is in existence.

As Mr. Denney pointed out, there is the provision in the contract for withdrawal, and if the Congress exercised that right, it would be perfectly in accord with my view of good conscience.

I do not think that legally or morally the Congress can take unilateral action to void any obligation that it has under this compact.

Mr. DENNEY. Mr. Chairman.

Mr. GRAY. Yes.

Mr. DENNEY. Along that line, I think, though, that Mr. Dawson has brought out a point here that we must consider. The D.C. Transit has a franchise which was granted for 20 years, and I think it could be revoked for nonuser. Outside of that—I have not read it completely in the law but I think that is the only reason.

He is bringing out a point that by section 5, we are authorizing the Secretary, and then the D.C. Transit would have an action against possibly, or claim to be filed against, the United States for violation of the exclusive franchise that had been given to them.

Mr. GRAY. Of course, as the gentleman will notice, section 5, as presently written merely reaffirms what the Secretary claims he has in the way of authority dating back to May 26, 1930, which is 46 Stat. 382.

Mr. DENNY. But, you see, this franchise was granted in 1956 and runs for 20 years. Under the doctrine of superseding law, preemption, as Mr. Wright explained there, I think that when we grant to private enterprise an exclusive franchise, we have a real problem here of saying to the Secretary, "Ignore it; you can go ahead and make another contract." And I think we might be subject to a claim being filed and I believe this is the real serious problem that we have right now.

Mr. GRAY. I was pointing out what his contention was in requesting this particular section of the bill.

Mr. DENNY. Let me say just for the record, and I want it in here, any time this Congress can promote private enterprise, I am in favor of it, and that is in line with the President's directive of March 3. Therefore, let's not kill the goose that lays the golden egg. These people pay taxes and that is how we operate this Government. Let's keep this in mind as we determine this bill.

Mr. GRAY. I agree with the gentleman, it should be operated by private enterprise, and I am sure it will be, if at all possible.

Let me ask another question, General Dawson. If we strike completely section 5 as it is now written in the bill and merely give to the Secretary the authority to operate this service around Capitol Hill, which he contends he does not have now—and even the Commission, I am sure, would not have the authority to grant public transportation on the Capitol Grounds, this is a separate entity of government and I am sure they would not even contend that they have that authority—so we do need some legislation giving a private concessionaire the right to operate on the Capitol Grounds. If we write language in place of section 5, striking the whole section, just merely giving the Secretary authority to enter into contracts with private concessionaire's for the operation of a shuttle service and base it on competitive bidding, would this satisfy your firm?

Mr. DAWSON. Now you are speaking of the Capitol Grounds themselves, not the Mall area, not the area between the Union Station and the Capitol?

Mr. GRAY. I am referring primarily to a specific route around the Mall, but including the Capitol.

Mr. DAWSON. I think such legislation would be in violation of the compact.

Mr. GRAY. If we complied with that part of the compact and give, say, a year's notice of withdrawing from the compact, and we gave

the Secretary the authority to enter into an agreement with a private concessionaire, do you feel that you would have your day in court, so to speak, in competitive bidding, or do you feel that the Secretary might favor another type of service than you are providing now? What is your feeling on that?

Mr. DAWSON. Mr. Chairman, I believe the answer is in about three parts there.

First of all, if you gave notice and withdrew from the compact, there would be no question of your rights insofar as the compact itself was concerned.

I would point out that the operation of this service as envisioned by the Secretary—and I believe by the committee—operates not only on federally owned property, but on property owned by the District of Columbia, the city public streets, so that the Congress does not control the operation on those streets.

And the third part is that the Congress did, in 1956, give D.C. Transit System, after very serious consideration and countless hearings and study, a franchise to operate the public transportation system in the District of Columbia, and I believe such action by the Congress would be morally wrong.

Mr. GRAY. This is what I wanted to find out, your opinion.

Let me ask you this: Would your company be interested, from a financial standpoint, in providing free bus service, let's say, from the Union Station up to the Capitol and taking a portion of the proceeds from parking?

Mr. DAWSON. Yes, sir.

Mr. GRAY. The reason I ask that question is I wonder whether or not free service would have anything to do with your rate structure.

I understand you have to go before the Commission here in the District, and I understand you have an application in now for a rate increase, which has been rejected. Now—

Mr. DAWSON. There is one pending, Mr. Chairman.

Mr. GRAY. Would you see any conflict if the Congress would act to give free bus service from the Visitor Center up to the Capitol and the arrangement could be worked out with the Secretary on the reimbursement, that this would have any effect at all on your rate structure in the rest of the city?

Mr. DAWSON. Mr. Chairman, there is a provision in the compact that free transportation cannot be provided. However, as I understand, what you are suggesting is there would be payment through some source to the company for the service that it does perform.

Mr. GRAY. Right.

Mr. DAWSON. At the present time the company does provide transportation for schoolchildren with the District of Columbia for 10 cents.

Mr. GRAY. The way you look at it, General, this would not affect your rate structure and your fees for the carrying of passengers in the District of Columbia if you had a separate contract with the Department of the Interior to provide this free service, and that contractual obligation was entered into in good faith between you and the Secretary, in your opinion as a lawyer, it would not have any effect on your rate structure in the District of Columbia?

Putting it another way, if you got a 10-percent increase in your fares, would this necessarily hold that the 10-percent increase would apply to this shuttle service from Union Station to the Capitol?

Mr. DAWSON. I believe, Mr. Chairman, that anytime the company applied for a fare increase, that its income from this source would be taken into consideration as a part of its total income and the rate structure would be based including that income.

Mr. GRAY. But would it necessarily mean that this free service would have to be increased along with the other fares?

Mr. DAWSON. No, sir.

Mr. GRAY. That is the point I am getting at. That could be operated separately?

Mr. DAWSON. I would say so.

Mr. DENNEY. Mr. Chairman.

Mr. GRAY. The thing I am trying to avoid is saying we are going to provide this service free to visitors and then 60 days later you get a general fare raise. Then we have to go to Congress and the taxpayers to make up the difference. This is what we are trying to avoid.

Mr. DAWSON. Mr. Chairman, I might point out that as of now, we also have contracts with the Department of Defense and State Department for carriage of their employees on a specialized basis.

Mr. GRAY. Let me ask another question, General, that might shed some light on this.

This overall fare increases that you have pending now, would this affect this contractual obligation to carry schoolchildren for 10 cents?

Mr. DAWSON. The pending fare increase application would not affect that.

Mr. GRAY. So the point is these contracts can be handled separately? This is what I am getting at.

Mr. DAWSON. This is correct.

Mr. WRIGHT. Will the gentleman yield?

Mr. GRAY. Yes; I yield to the gentleman from Texas, Mr. Wright.

Mr. WRIGHT. The public schools in Arlington, Va., for example, operate their own schoolbuses, I believe. This is separate and distinct from your D.C. Transit Co.

Why does that not come under the purview of the Commission? They are within the geographical area of jurisdiction of this metropolitan Commission.

I do not suppose the Metropolitan Commission has given a certificate of public convenience and necessity to the Arlington school system to operate the schoolbuses, has it? Or has it?

Mr. DAWSON. Mr. Wright, Mr. Davis can respond to that.

Mr. WRIGHT. Yes, sir.

Mr. DAVIS. Under the compact—

Mr. WRIGHT. Under the compact itself they were exempt, is that correct?

Mr. DAVIS. That schoolchildren transported in schoolbuses are exempt.

Mr. WRIGHT. Right, all right.

Mr. DAVIS. In addition to that, in Arlington, they do use private enterprise to transport schoolchildren.

Mr. WRIGHT. I see. Now, just as a practical matter, laying aside for the moment the legal questions involved in the compact and the jurisdiction of the Commission—I tend to disagree just as a legal matter. I think the Congress probably has a right to exempt a certain route, but let's lay that aside and not argue that point here. I do not think we want to get into that or we would be here all day.

Do you think, just from the standpoint of business, that D.C. Transit could make money on a separate route of the type we described earlier in this hearing distinguishing it from your regular D.C. Transit System, and perhaps not interchangeable with it by means of transfer?

Mr. DAWSON. Yes, sir, Mr. Wright. I think the company could make money and I am sure Universal contemplates making money.

Mr. WRIGHT. Let us assume that the Commission had heard the application of Universal, it being a successful bidder in this instance with the Interior Department. And let us assume further that the Commission had granted to Universal this certificate of convenience and necessity. Would you then feel that that constituted an infringement of the franchise?

Mr. DAWSON. I would say, Mr. Wright, that the Commission must make its determination on the basis of the evidence presented as to whether the convenience of the public will be served, and that the Universal company would have had to make that showing. And if it were shown that D.C. Transit could not provide that service under its franchise, the Commission might well decide that the public would be served better by Universal.

Mr. WRIGHT. The Commission might so decide. Let's assume the Commission had so decided. Would it be your position as the attorney for D.C. Transit that the Commission's action was final? Or would you, in that instance, have felt that you might have cause for action on the grounds of infringement of your franchise?

Mr. DAWSON. There is always a right of appeal to the courts, so we might have that opportunity.

Mr. WRIGHT. I suppose what we come to is that we have two separate and distinct acts of Congress: One by which we agreed to the compact, and the other the act of 1956 by which we granted the franchise to D.C. Transit.

Now, do you think it is not a sufficiently established principle of law that an act passed subsequent to an earlier act and specifically repealing all acts or parts of acts in conflict therewith is adequate to establish the primacy of the latter act?

Mr. DAWSON. That is a general rule of law. I do not think it would be applicable with respect to unilaterally modifying the compact without observing the terms of the compact.

Mr. WRIGHT. Do you think it would be adequate with respect—

Mr. DAWSON. I do not think, Mr. Wright, in good conscience, the Congress would want to lightly derogate its obligation under the franchise.

Mr. WRIGHT. I quite agree with you on the question of conscience and the question of good faith and so forth. But we got into a legal discussion awhile ago, and I am not sure it is a good thing for us to pursue it in great depth here, but I am trying to find a way out.

You present one way out which you think will satisfy everybody, that would be for D.C. Transit to run this route under a certificate granted by the Commission; correct?

Mr. DAWSON. That is right.

Mr. WRIGHT. Do you think the service ought to be provided? Correct?

Mr. DAWSON. I did not hear you.

Mr. WRIGHT. You feel it is a service that should be provided?

Mr. DAWSON. Yes, sir.

Mr. WRIGHT. And yet you have had an application pending for some time before the Commission to provide such service, and it has not been acted upon.

Mr. DAWSON. Mr. Wright, in some justification of that delay, may I say that the Commission was waiting for the court decision. In my judgment that was not a proper basis for delay.

I would point out that the Commission has a right to delay as long as it sees fit to, up to a certain point.

Mr. WRIGHT. Surely. Now put yourself in the position of the committee, or let's say of Congress. What we want to do is assure that this service will be provided. By eliminating section 5, we do not so insure, do we?

If we just eliminate all reference to it, we do not have any guarantee that this service is going to be provided, do we?

Mr. DAWSON. It will not be provided in the law, but I have the assurance that I have given you by Mr. Chalk that D.C. Transit will provide such a service.

Mr. WRIGHT. You cannot speak for the Commission as to whether it will grant you a certification of convenience and necessity?

Mr. DAWSON. I believe that the court case now being disposed of, Congress not taking contrary action, the Commission would grant that certificate.

Mr. WRIGHT. Well, our situation, as I think you understand is that we want to see to it that service is provided. We also want to make certain that at least parts of this service bringing visitors from the Visitor Center to the Capitol are provided on the basis that comports with what we are trying to do in parking their cars.

Mr. DAWSON. The company supports you wholeheartedly in that.

Mr. WRIGHT. Do you believe you could operate on the basis of a stub given to your driver for vehicles in the lots for a relatively nominal sum to transport people from the proposed Visitor Center to the Capitol?

Mr. DAWSON. We are using stubs in connection with the children's fare in the District of Columbia now.

Mr. WRIGHT. Thank you very much.

You can see that we have a somewhat knotty problem, I am sure, and we can appreciate your situation.

Mr. DAWSON. We appreciate your position.

Mr. WRIGHT. We do want to make sure the service gets provided not only to the Capitol, but I want to see to it that visitors get the opportunity to get on a separate shuttle service that will take them to the points of interest up and down the Mall.

Mr. DENNEY. Will the gentleman yield?

Mr. WRIGHT. Yes.

Mr. DENNEY. For purposes of the record and to help this committee, I would request that Public Law 757, by unanimous consent, be inserted in the record at this point, and specifically section 3, which provides that no other transportation system will be granted in the District because of this exclusive franchise that has been given to D.C. Transit.

I think we have a real problem on whether to strike out section 5 entirely, or to work out some language that protects this franchise. Otherwise, we are going to have to repeal the franchise, and I do not think that is proper.

Mr. GRAY. I will say to the distinguished gentlemen, we certainly will take this up in executive session and try to do what is fair.

Mr. DENNEY. May we have a ruling on my unanimous consent request?

Mr. GRAY. Without objection, it will be printed in the record at this point.

(Public Law 757 follows:)

Public Law 757

CHAPTER 669

July 24, 1956
[S. 3073]

AN ACT

To grant a franchise to D. C. Transit System, Inc., and for other purposes.

D. C. Transit
System, Inc.
Franchise.*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

TITLE I

PART 1.—FRANCHISE PROVISIONS

SECTION 1. (a) There is hereby granted to D. C. Transit System, Inc., a corporation of the District of Columbia (referred to in this part as the "Corporation") a franchise to operate a mass transportation system of passengers for hire within the District of Columbia and between the District of Columbia and points within the area (referred to in this part as the "Washington Metropolitan Area") comprising all of the District of Columbia, the cities of Alexandria and Falls Church, and the counties of Arlington and Fairfax in the Commonwealth of Virginia and the counties of Montgomery and Prince Georges in the State of Maryland, subject, however, to the rights to render service within the Washington Metropolitan Area possessed, at the time this section takes effect, by other common carriers of passengers: *Provided*, That nothing in this section shall be construed to exempt the Corporation from any law or ordinance of the Commonwealth of Virginia or the State of Maryland or any political subdivision of such Commonwealth or State, or of any rule, regulation, or order issued under the authority of any such law or ordinance, or from applicable provisions of the Interstate Commerce Act and rules and regulations prescribed thereunder.

49 USC 27 and
note.

Definitions.

(b) Wherever reference is made in this part to "D. C. Transit System, Inc." or to the "Corporation", such reference shall include the successors and assigns of D. C. Transit System, Inc.

Term.

(c) As used in this part the term "franchise" means all the provisions of this part 1.

SEC. 2. (a) This franchise is granted for a term of twenty years: *Provided, however*, That Congress reserves the right to repeal this franchise at any time for its non-use.

(b) In the event of cancellation of this franchise by Congress after seven years from the date this franchise takes effect for any reason other than non-use, the Corporation waives its claim for any damages for loss of franchise.

PUC certificate
for competitive
line.

SEC. 3. No competitive street railway or bus line, that is, bus or railway line for the transportation of passengers of the character which runs over a given route on a fixed schedule, shall be established to operate in the District of Columbia without the prior issuance of a certificate by the Public Utilities Commission of the District of Columbia (referred to in this part as the "Commission") to the effect that the competitive line is necessary for the convenience of the public.

Legislative
policy.

SEC. 4. It is hereby declared as a matter of legislative policy that in order to assure the Washington Metropolitan Area of an adequate transportation system operating as a private enterprise, the Corporation, in accordance with standards and rules prescribed by the Commission, should be afforded the opportunity of earning such return as to make the Corporation an attractive investment to private investors. As an incident thereto the Congress finds that the opportunity to earn a return of at least 6½ per centum net after all taxes properly chargeable to transportation operations, including but not limited to income

taxes, on either the system rate base or on gross operating revenues would not be unreasonable, and that the Commission should encourage and facilitate the shifting to such gross operating revenue base as promptly as possible and as conditions warrant; and if conditions warrant not later than August 15, 1958. It is further declared as a matter of legislative policy that if the Corporation does provide the Washington Metropolitan Area with a good public transportation system, with reasonable rates, the Congress will maintain a continuing interest in the welfare of the Corporation and its investors.

SEC. 5. The initial schedule of rates which shall be effective within the District of Columbia upon commencement of operations by the Corporation shall be the same as that effective for service by Capital Transit Company approved by the Commissioners of the District of Columbia pursuant to the Act of August 14, 1955 (Public Law No. 389, 84th Congress; 69 Stat. 724), in effect on the date of the enactment of this Act, and shall continue in effect until August 15, 1957, and thereafter until superseded by a schedule of rates which becomes effective under this section. Whenever on or after August 15, 1957, the Corporation files with the Commission a new schedule of rates, such new schedule shall become effective on the tenth day after the date of such filing, unless the Commission prescribes a lesser time within which such new schedule shall go into effect, or unless prior to such tenth day the Commission suspends the operation of such new schedule. Such suspension shall be for a period of not to exceed one hundred twenty days from the date such new schedule is filed. If the Commission suspends such new schedule it shall immediately give notice of a hearing upon the matter and, after such hearing and within such suspension period, shall determine and by order fix the schedule of rates to be charged by the Corporation. If the Commission does not enter an order, to take effect at or prior to the end of the period of suspension, fixing the schedule of rates to be charged by the Corporation, the suspended schedule filed by the Corporation may be put into effect by the end of such period, and shall remain in effect until the Commission has issued an appropriate order based on such proceeding.

Rates.

SEC. 6. The Corporation is hereby authorized and empowered to engage in special charter or sightseeing services subject to compliance with applicable laws, rules and regulations of the District of Columbia and of the municipalities or political subdivisions of the States in which such service is to be performed, and with applicable provisions of the Interstate Commerce Act and rules and regulations prescribed thereunder.

Charter and sightseeing services.

SEC. 7. The Corporation shall be obligated to initiate and carry out a plan of gradual conversion of its street railway operations to bus operations within seven years from the date of the enactment of this Act upon terms and conditions prescribed by the Commission, with such regard as is reasonably possible when appropriate to the highway development plans of the District of Columbia and the economies implicit in coordinating the Corporation's track removal program with such plans; except that upon good and sufficient cause shown the Commission may in its discretion extend beyond seven years, the period for carrying out such conversion. All of the provisions of the full paragraph of the District of Columbia Appropriation Act, 1942 (55 Stat. 499, 533), under the title "HIGHWAY FUND, GASOLINE TAX AND MOTOR VEHICLE FEES", subtitle "STREET IMPROVEMENTS", relating to the removal of abandoned tracks, reglacing of track areas, and paving abandoned track areas, shall be applicable to the Corporation.

Conversion to bus operation.

Track removal.

SEC. 8. (a) As of August 15, 1956, paragraph numbered 5 of section 6 of the Act entitled "An Act making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal

Taxes.

68 Stat. 118.

61 Stat. 328,
D. C. Code 47-
ch. 15.
D. C. Code 47-
1207.
Exemptions.

63 Stat. 112,
D. C. Code 47-
2601 to 47-2629.
63 Stat. 124,
D. C. Code 47-
2701 to 47-2714.

63 Stat. 128.

47 Stat. 555; 68
Stat. 119.

Motor vehicle
fuel tax.

43 Stat. 106,
D. C. Code 47-
1901 to 47-1919.

Definitions.

Determination of
tax by operating
ratio.

year ending June thirtieth, nineteen hundred and three, and for other purposes", approved July 1, 1902, as amended (D. C. Code, sec. 47-1701), is amended by striking out the third and fourth sentences and inserting in lieu thereof the following: "Each gas, electric-lighting, and telephone company shall pay, in addition to the taxes herein mentioned, the franchise tax imposed by the District of Columbia Income and Franchise Tax Act of 1947, and the tax imposed upon stock in trade of dealers in general merchandise under paragraph numbered 2 of section 6 of said Act approved July 1, 1902, as amended."

(b) Notwithstanding subsection (a) of this section, the Corporation shall be exempt from the following taxes:

(1) The gross sales tax levied under the District of Columbia Sales Tax Act;

(2) The compensating use tax levied under the District of Columbia Use Tax Act;

(3) The excise tax upon the issuance of titles to motor vehicles and trailers levied under subsection (j) of section 6 of the District of Columbia Traffic Act of 1925, as amended (D. C. Code, sec. 40-603 (j) (4));

(4) The taxes imposed on tangible personal property, to the same extent that the Capital Transit Company was exempt from such taxes immediately prior to the effective date of this section under the provisions of the Act of July 1, 1902, as amended; and

(5) The mileage tax imposed by subparagraph (b) of paragraph 31 of section 7 of the Act approved July 1, 1902, as amended (D. C. Code, sec. 47-2331 (b)).

SEC. 9. (a) Except as hereinafter provided, the Corporation shall not, with respect to motor fuel purchased on or after September 1, 1956, pay any part of the motor vehicle fuel tax levied under the Act entitled "An Act to provide for a tax on motor vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924, as amended (D. C. Code, title 47, chapter 19).

(b) For the purposes of this section—

(1) the term "a $6\frac{1}{2}$ per centum rate of return" means a $6\frac{1}{2}$ per centum rate of return net after all taxes properly chargeable to transportation operations, including but not limited to income taxes, on the system rate base of the Corporation, except that with respect to any period for which the Commission utilizes the operating ratio method to fix the rates of the Corporation, such term shall mean a return of $6\frac{1}{2}$ per centum net after all taxes properly chargeable to transportation operations, including but not limited to income taxes, based on gross operating revenues; and

(2) the term "full amount of the Federal income taxes and the District of Columbia franchise tax levied upon corporate income" means the amount which would have been payable in the absence of write-offs in connection with the retirement of street railway property as contemplated by section 7 of this part, but only to the extent that such write-offs are not included as an operating expense in determining net earnings for rate-making purposes.

(c) As soon as practicable after the twelve-month period ending on August 31, 1957, and as soon as practicable after the end of each subsequent twelve-month period ending on August 31, the Commission shall determine the Corporation's net operating income for such twelve-month period and the amount in dollars by which it exceeds or is less than a $6\frac{1}{2}$ per centum rate of return for such twelve-month period. In such determination the Commission shall include as an operating expense the full amount of the motor vehicle fuel tax which would be due but for the provisions of this section on the motor fuel purchased by the Corporation during the twelve-month period, and

the full amount of the Federal income taxes and the District of Columbia franchise tax levied upon corporate income. The Commission shall certify its determination to the Commissioners of the District of Columbia or their designated agent. If the net operating income so certified by the Commission equals or is more than a 6½ per centum rate of return, the Corporation shall be required to pay to such Commissioners, or their designated agent, the full amount of the motor vehicle fuel taxes due on the purchases of motor fuel made by the Corporation during such twelve-month period. If the net operating income so certified is less than a 6½ per centum rate of return, the Corporation shall pay to such Commissioners, or their designated agent, in full satisfaction of the motor vehicle fuel tax for such period an amount, if any, equal to the full amount of said motor vehicle fuel tax reduced by the amount necessary to raise the Corporation's rate of return to 6½ per centum for such period, after taking into account the effect of such reduction on the amount of the Federal income taxes and the District of Columbia franchise tax levied upon corporate income payable by the Corporation for such period. Within thirty days after being notified by the said Commissioners or their designated agent of the amount of the motor vehicle fuel tax due under this section, the Corporation shall pay such amount to the said Commissioners or their designated agent.

(d) If not paid within the period specified in subsection (c), the motor vehicle fuel tax payable under this section and the penalties thereon may be collected by the Commissioners of the District of Columbia or their designated agent in the manner provided by law for the collection of taxes due the District of Columbia on personal property in force at the time of such collection; and liens for the motor vehicle fuel tax payable under subsection (c) and penalties thereon may be acquired in the same manner that liens for personal property taxes are acquired.

Collection.
Penalties.

(e) Where the amount of the motor vehicle fuel tax payable under subsection (c), or any part of such amount, is not paid on or before the time specified therein for such payment, there shall be collected, as part of the tax, interest upon such unpaid amount at the rate of one-half of 1 per centum per month or portion of a month.

Interest.

(f) The Commissioners of the District of Columbia or their designated agent are hereby authorized and directed to issue to the Corporation such certificates as may be necessary to exempt it from paying any importer the motor vehicle fuel tax imposed by such Act of April 23, 1924, as amended, or as hereafter amended.

Exemption cer-
tificates.

43 Stat. 106.
D. C. Code 47-
1901 to 47-1919.
Real estate
taxes.

(g) (1) From and after the time fixed in paragraph (2) of this subsection the Corporation shall not be required to pay real estate taxes upon any real estate owned by it in the District of Columbia and used and useful for the conduct of its public transportation operations to the extent that the Commission has determined under such rules and regulations as it may issue that the Corporation's net operating income in the previous year was insufficient, after giving effect to the tax relief provided in the preceding subsections, to afford it a 6½ per centum rate of return.

Effective date.

(2) This subsection shall take effect upon the completion of the program contemplated in section 7 of this part, as certified by the Commission to the Commissioners of the District of Columbia, or at such earlier time as the Commission may find that the said program has been so substantially completed that the taking effect of this subsection would be appropriate in the public interest and shall so certify to the Commissioners of the District of Columbia.

Sec. 10. (a) The Corporation shall not be charged any part of the expense of removing, sanding, salting, treating, or handling snow on

Snow removal,
etc.

the streets of the District of Columbia, except that the Corporation shall sweep snow from the streetcar tracks at its own expense so long as such tracks are in use by the Corporation.

(b) The paragraph which begins "Hereafter every street railway company" which appears under the heading "STREETS" in the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and thirteen, and for other purposes", approved June 26, 1912 (D. C. Code, sec. 7-614), is hereby repealed.

37 Stat. 152.

Merger or consolidation.

Sec. 11. The provisions of law set forth in Title 43, sections 501 through 503 of the District of Columbia code shall not be deemed to restrict any merger or consolidation of the Corporation with any other company or companies engaged in mass transportation in the District of Columbia or the Washington Metropolitan Area: *Provided, however*, That any such merger or consolidation shall be subject to the approval of the Commission.

Future transfer to another agency.

Sec. 12. Nothing in this part shall prevent the transfer, by or under the authority of any other Act of Congress, to any other agency of any of the functions which are by this part granted to or imposed upon the Commission.

Securities.

Sec. 13. (a) The Corporation is hereby authorized to issue or create loans, mortgages, deeds of trust, notes or other securities to any banking or other institution or institutions and to Capital Transit Company, with respect to the acquisition of assets of Capital Transit Company (including any corporation controlled by Capital Transit Company), provided that the interest rate thereon shall not exceed 5 per centum per annum, but the aggregate principal shall not exceed the cost of acquiring the assets of Capital Transit Company.

Interest rate.

54 Stat. 905.
49 USC 5.

(b) (1) Section 5 of the Interstate Commerce Act shall not be construed to require the approval or authorization of the Interstate Commerce Commission of any transaction within the scope of paragraph (2) of such section 5 if the only parties to such transaction are the Corporation (including any corporation wholly controlled by the Corporation) and the Capital Transit Company (including any corporation wholly controlled by the Capital Transit Company). The issuance or creation of any securities provided for in subsection (a) shall not be subject to the provisions of section 20a of the Interstate Commerce Act.

41 Stat. 494.
49 USC 20a.

(2) No approval of the acquisition of assets referred to in subsection (a), or of the issuance or creation of any securities provided for in subsection (a) in connection with such acquisition, shall be required from any District of Columbia agency or commission.

48 Stat. 74.
15 USC 77a.

(c) This section shall not apply to any issuance of securities constituting a public offering to which the Securities Act of 1933 applies.

52 Stat. 1002.
49 USC 489.

Officers and directors.

(d) Notwithstanding the provisions of section 409 (a) of the Civil Aeronautics Act of 1938—

(1) no air carrier shall be required (because of the fact that a person becomes or remains an officer, director, member or stockholder holding a controlling interest of the Corporation, or of any common carrier controlled by the Corporation which is engaged in mass transportation of passengers for hire in the Washington Metropolitan Area, or is elected or reelected as an officer or director) to secure the authorization or approval of the Civil Aeronautics Board in order to have and retain such person as an officer or director, or both, of such air carrier if such person is an officer or director of such air carrier at the time this section takes effect; and

(2) no person who, at the time this section takes effect, is an officer or director of an air carrier shall be required to secure the approval of the Civil Aeronautics Board in order to hold the position of officer, director, member or stockholder holding a controlling interest of the Corporation or of any common carrier controlled by the Corporation which is engaged in mass transportation of passengers for hire in the Washington Metropolitan Area.

As used in this subsection, the term "air carrier" has the same meaning as when used in section 409 (a) of the Civil Aeronautics Act of 1938.

(e) Notwithstanding section 20a (12) of the Interstate Commerce Act, authorization or approval of the Interstate Commerce Commission shall not be required in order to permit a person who is an officer or director of the Corporation to be also an officer or director, or both, of any common carrier controlled by the Corporation which is engaged in mass transportation of passengers for hire in the Washington Metropolitan Area.

SEC. 14. The Corporation, at the time it acquires the assets of Capital Transit Company, shall become subject to, and responsible for, all liabilities of Capital Transit Company of whatever kind or nature, known or unknown, in existence at the time of such acquisition, and shall submit to suit therefor as though it had been originally liable, and the creditors of Capital Transit Company shall have as to the Corporation all rights and remedies which they would otherwise have had as to Capital Transit Company: *Provided, however,* That the Corporation shall not be liable to any dissenting stockholder of Capital Transit Company for the fair value of the stock of any such stockholder who shall qualify to be entitled to receive payment of such fair value. No action or proceeding in law or in equity, or before any Federal or District of Columbia agency or commission, shall abate in consequence of the provisions of this section, but such action or proceeding may be continued in the name of the party by or against which it was begun, except that in the discretion of the court, agency, or commission the Corporation may be substituted for the Capital Transit Company. In any and all such actions or proceedings, the Corporation shall have, and be entitled to assert, any and all defenses of every kind and nature which are or would be available to Capital Transit Company or which Capital Transit Company would be entitled to assert.

"Air carrier".
49 USC 489.

41 Stat. 496.
49 USC 20a.

Capital Transit
Company, liabilities.

PART 2.—MISCELLANEOUS PROVISIONS

SEC. 21. (a) Section 14 of the joint resolution entitled "Joint resolution to authorize the merger of street-railway corporations operating in the District of Columbia, and for other purposes", approved January 14, 1933 (47 Stat. 752), as amended (Public Law 389, Eighty-fourth Congress), is hereby repealed to the extent that such section repeals the charter of Capital Transit Company, without thereby affecting the termination of its franchise.

69 Stat. 724.

(b) Upon the taking effect of part 1 of this title, Capital Transit Company shall not be authorized to engage in business as owner or operator of electric railway, passenger motor bus, public transportation of passengers, or common carrier of passengers within, to, or from, the Washington Metropolitan Area.

(c) Capital Transit Company shall continue to exist as a corporation incorporated under the provisions of subchapter 4 of chapter 18 of the Act entitled "An Act to establish a code of laws for the District of Columbia", approved March 3, 1901, as amended (D. C. Code, title 29, ch. 2), under its certificate of incorporation, as amended, and Capital Transit Company may amend its charter in any manner provided under the laws of the District of Columbia and may avail itself of the provi-

31 Stat. 1284.

sions of the District of Columbia Business Corporations Act in respect to a change of its name and may become incorporated or reincorporated thereunder in any manner as therein provided. Nothing referred to in this title, or the sale and vesting of the assets of Capital Transit Company, referred to therein, shall cause or require the corporate dissolution of Capital Transit Company.

SEC. 22. Nothing in this title shall be deemed to extend the franchise of Capital Transit Company beyond August 14, 1956, or, except as otherwise provided in this section, to relieve Capital Transit Company of any obligation to remove from the streets and highways at its own expense all of its property and facilities and to restore the streets and highways in accordance with the provisions of the District of Columbia Appropriation Act, 1942 (55 Stat. 493, 533) in the event the Corporation fails to acquire the assets of Capital Transit Company. If part 1 of this title takes effect, Capital Transit Company shall thereupon be relieved of all liability to remove from the streets and highways of the District of Columbia all of its properties and facilities and to restore such streets and highways.

SEC. 23. The powers and jurisdiction of the Public Utilities Commission of the District of Columbia with respect to Capital Transit Company shall cease and be at an end upon the taking effect of part 1 of this title.

TITLE II

Effective dates.

SEC. 201. (a) Part 1 of title I shall take effect on August 15, 1956, but only if prior thereto D. C. Transit System, Inc. (referred to in this title as the "Corporation") has acquired the assets of Capital Transit Company and has notified the Commissioners of the District of Columbia in writing that it will engage in the transportation of passengers within the District of Columbia beginning on August 15, 1956. If the Corporation has not acquired the assets of Capital Transit Company prior to August 15, 1956, but does thereafter acquire such assets, the Corporation shall, on the date of such acquisition, give written notice thereof to the Commissioners, and part 1 of title I shall take effect upon such date of acquisition.

(b) Part 2 of title I, and this title, shall take effect upon the date of the enactment of this Act.

SEC. 202. If it is determined by the Commissioners of the District of Columbia that, due to any act or omission on the part of the Corporation, the Corporation has not acquired the assets of Capital Transit Company and if such Commissioners approve a valid contract, ratified and approved by the required number of stockholders of Capital Transit Company, between Capital Transit Company and some other corporation providing for the acquisition of such assets and if such other corporation is also approved by such Commissioners as capable of performing the operation contemplated by the franchise provisions of part 1 of title I, then the terms "D. C. Transit System, Inc." and "Corporation" as used in this Act shall be deemed to mean such other corporation for all purposes of this Act.

SEC. 203. If part 1 of title I of this Act does not take effect on August 15, 1956, the Commissioners of the District of Columbia may authorize (including authorization of such contractual agreements as may be necessary) such mass transportation of passengers within the District of Columbia, beginning on and after August 15, 1956, and until such date as part 1 of title I of this Act takes effect, as may be necessary for the convenience of the public. Such transportation shall be furnished to the public at such rates and under such terms and regulations as may be recommended by the Public Utilities Commission and approved by the Commissioners of the District of Columbia.

Approved July 24, 1956.

Mr. GRAY. Are there any other questions?

I am sorry, Mr. Dawson, I thought you had completed your statement.

Mr. DAWSON. Mr. Chairman and members of the committee, there is one other point that gives us some concern, and that is that we noticed in the brochure that was circulated yesterday, on page 14, that the Secretary had negotiated a contract for this service, and that implies negotiation to a conclusion.

However, D.C. Transit was never invited to submit a proposal for the new type of service between the parking area and the Capitol and the service on the Mall area, and that one variation alone might very substantially alter the proposal that D.C. Transit would make.

We think in all fairness that every public transit company operating in the District should have an opportunity to submit a proposal and to be considered in negotiations, although we deny the right of the Secretary to negotiate in view of the decision of the court and the suspension of all Federal laws by the compact act.

Mr. GRAY. That is a very important point you raised, General. Public Law 757, section 3, states no other transportation system in the District can be used, then what latitude would the Secretary have in advertising for competitive bids? He would not really have any, would he?

Mr. DAWSON. We think he has no authority to do so at the present time.

Mr. DENNY. That is the point I am bringing out, Mr. Chairman.

Mr. GRAY. This is your contention then?

Mr. DAWSON. Yes, sir.

Mr. GRAY. He has no authority even on Government-owned property?

Mr. DAWSON. No, sir.

Mr. GRAY. What about the section of law he quotes, the act of May 26, 1930? I have not read it, but I assume that it is the National Park Act, which gives the Secretary authority to enter into agreements for transportation on Government-owned property.

Mr. DAWSON. Mr. Chairman, the Compact Act of 1960 in section 3 suspends the application of that act.

Mr. GRAY. Even on Government-owned property?

Mr. DAWSON. I believe you have a copy of the compact, in the yellow jacket, before you.

Mr. GRAY. Even on Government-owned property?

Mr. DAWSON. It suspends the application of all laws.

Mr. GRAY. As pertaining to the District of Columbia?

Mr. DAWSON. All Federal laws.

Mr. GRAY. I say, as pertaining to the District of Columbia? It does not repeal the act of May 26, 1930, per se.

Mr. DAWSON. It suspends the application.

Mr. GRAY. In the District of Columbia?

Mr. DAWSON. Yes, sir.

Mr. GRAY. Are there any other comments or questions?

Mr. DAWSON. Now, Mr. Chairman, I have one other very important practical aspect that I want to bring to the attention of the committee.

Mr. GRAY. Yes.

Mr. DAWSON. Now, independent of all the legal reasons that D.C. Transit has offered you for its opposition to section 5, there is a very practical reason for opposition to that section. If the Secretary is directed to provide public transportation services in the Mall area and to the National Visitor Center at Union Station, D.C. Transit will be deprived of substantial revenues, fares that it would have collected had it not been for the competitive service of the Secretary.

I tell you, gentlemen, in all sincerity, that D.C. Transit cannot afford to lose these or any other revenues.

Management of the company notwithstanding, every effort for economy and efficiency has found it necessary to apply for three separate fare increases in the last 3 years to meet rising costs. The third such application was just filed this past September and the income statement accompanying such application indicates that for the 12 months ended May 31, 1967, the company earned only a 2.05-percent rate of return on operating revenues of approximately \$34 million.

The company cannot survive for long without financial relief in the form of either higher fares or Government subsidy. Under these circumstances, it would be most damaging to the financial plight of the company to have any of its existing revenues siphoned off by the Secretary.

Some idea of the extent of the revenues that D.C. Transit would stand to lose by enactment of this bill can be found in the court of appeals case to which I have referred. An exhibit in that case indicated that the proposed shuttle operation on the Mall area alone, under contract with the Secretary, would cost the company over a million dollars in revenues.

It should also be realized in passing that to the extent the financial soundness of D.C. Transit's mass transportation operation is allowed to be impaired through the performance of competitive services by the Secretary, the ability of the company to provide effective feeder lines for the forthcoming subway system is correspondingly affected.

Now, there is one last point I want to comment upon. The second sentence of section 5 directs the Secretary to provide transportation to the National Visitor Center. There is no geographical limitation upon the scope of the Secretary's operation to the Visitor Center. He could conceivably operate between Union Station and any point, or as many points in the District as he desired, whether or not such points were part of the national park system under the Secretary's jurisdiction.

Mr. Chairman, thank you for the opportunity to appear before you today.

Mr. GRAY. Well, thank you, Mr. Dawson, and also Mr. Davis. We deeply appreciate your coming.

This is a real problem and I am sure you can understand that we are sympathetic to the existing franchise, and we are sympathetic to your firm. However, I am also sure you realize legislation has to be a compromise. We hope we can work up something that will be satisfactory to everyone concerned.

Are there any other comments or questions?

Mr. McEWEN. Mr. Chairman.

Mr. GRAY. Mr. McEwen.

Mr. McEWEN. General, I appreciate your calling our attention to that item on page 14 of the contract that the Department of the Inter-

ior has already negotiated. I had read this publication, but I am afraid I missed that.

I rather agree with your observation, this is speaking not only of the Mall area, but also to and from the Visitor Center.

I notice preceding that sentence, it says: "This service can be initiated immediately by the enactment of legislation authorizing the Visitor Center." Then it goes on and concludes "Under a 10-year contract the Department of the Interior has already negotiated."

I understand, General, it is your feeling that this would preclude D.C. Transit from bidding on this.

Mr. DAWSON. We have been precluded from bidding.

Mr. McEWEN. On the Mall?

Mr. DAWSON. We bid on the Mall package, but not on the parking area package plus the Mall package.

Mr. McEWEN. You would consider that this would indicate you would be foreclosed from putting a bid in on the transportation connection with the Visitor Center?

Mr. DAWSON. That is the way I read it.

Mr. GRAY. I thank the gentleman from New York.

Are there any other questions or comments?

I thank you gentlemen for coming. We appreciate it.

I wonder if I could have the attention of the committee members. We have two more witnesses. The next witness is the very lovely and distinguished Mrs. Ester Coopersmith, a member of the 21-member Commission. She has been very patient. I hope we can take her next, if you do not mind.

Mrs. Coopersmith, will you please come forward.

She is a member of the Commission, attended all the meetings, worked very hard in helping us come up with these recommendations, and she is here on behalf of the 21-member Commission.

I would hope we could conclude the hearings today and go into executive session by next Tuesday and the full committee meeting by next Thursday. So if I could have the patience and tolerance of the members, we will try to finish today.

On behalf of the committee, Mrs. Coopersmith, I want to thank you for your very tireless work in behalf of the Commission. You attended all the meetings and were very attentive, very helpful, and we appreciate your patience in the last 2 days waiting to testify, and thank you very much for coming.

You can proceed in your own fashion.

STATEMENT OF MRS. ESTHER COOPERSMITH, MEMBER OF THE NATIONAL VISITOR CENTER STUDY COMMISSION, WASHINGTON, D.C.

Mrs. COOPERSMITH. Thank you, Mr. Chairman. It is always a pleasure to wait on this committee.

Mr. Chairman and members of the House Subcommittee on Public Buildings and Grounds, my name is Esther Coopersmith. I am a mother of four children and I live in Chevy Chase, Md.

I am a public member of the President's Commission for the National Visitor Center.

Incidentally, when I was appointed to this Commission by the President, some of my friends said, "Oh, this is just an honorary committee appointment you have and the Commission won't do any work." However, my friends do not know your very able chairman, Congressman Ken Gray, and they do not know Congressman Schwengel, Mr. Cramer, and your distinguished friend that just left, Mr. Pickle, from Texas. These men worked so long, so very, very hard, and spent so much time and effort, let me say to you that the Nation is deeply grateful for all their work.

I am very pleased to be here today to testify on behalf of and in favor of an Orientation and Education Center for visitors to our Nation's Capital. I have the feeling that you have heard so much on so many aspects of this project that you feel there may be very little more to add; but I do think I have a viewpoint which, while not unique, has not yet been applied in this hearing to express one of the real needs for the National Visitor Center.

You represent people from all over the country. Your constituents come to visit Washington, the world's capital, by thousands each day, as you witness running back and forth, the clusters of people.

When your constituents come, they bring their children, so that their children can learn and participate in the great history of our country.

I strongly believe, Mr. Congressmen, that you owe your constituents an opportunity to enjoy a visit to Washington, to have an easy experience, instead of a frustrating experience, in Washington.

I am sorry if I have not told you of the millions of dollars spent in Washington and the millions more that this means in taxes; but I see a National Visitor Center as a living historical and educational experience with a meaningful sense of orderliness and direction for parents leading their children into the complexities of the history and the education, and even the glory of the city which means so very much to our country. You have the responsibility to your constituents.

As a member of the President's Commission, I can attest that we have exhaustively studied every possibility for a National Visitor Center. Under the direction, again, of your very able chairman, Congressman Ken Gray, I can tell you that we have gone through every nook and cranny in the District of Columbia to locate the proper site for the Center. We feel that we have located a great facility in which we can pour all of the ingredients for a very fine project.

Perhaps there is one other point that I feel might have been overlooked, too. I have worked with many corporate organizations that have generous hearts and a genuine wish to participate in national historical and educational projects. I am certain that, if an opportunity to duplicate some of the magic things that I saw at Montreal, at Expo 67, were properly offered, our national corporate leaders would happily and freely help furnish our National Visitor Center. I am so certain of this, I would like to offer my own humble efforts to enlist their participation.

Gentlemen, I support the farsighted and far-reaching program to convert Union Station to a National Visitor Center, and I thank you for this opportunity to appear before you.

Mr. GRAY. Well, at the expense of being repetitious, I am going to say, once again, how delighted I am that you would come, particu-

larly after the many, many meetings you attended as a member of the Commission and to reaffirm and restate your great interest in this national proposal.

(Discussion off the record.)

Mr. GRAY. Are there any comments or questions?

Are you not glad you waited, gentlemen?

Mrs. COOPERSMITH. May I tell you what Congressman Pickle said? He said, "I surely hope they get this done right away. Hurry it up."

Mr. GRAY. Next Tuesday and Thursday.

Thank you very much. We deeply appreciate it.

We have one concluding witness. If we can hear him, we will be able to wind up the public hearings after 4 days of testimony.

Is Mr. John Troutman, Director for Plans and Programs, National New Career Center, here?

Mr. TROUTMAN. Yes, sir.

Mr. GRAY. Mr. Troutman, I want to apologize for the fact we have been running behind schedule; but, as you know, having sat here for several days, some of these problems have been gone into in great detail. We appreciate your patience and appreciate your coming.

You can either read the statement or submit it for the record and summarize, or proceed in your own fashion.

STATEMENT OF JOHN TROUTMAN, DIRECTOR FOR PLANS AND PROGRAMS, NATIONAL NEW CAREER CENTER, WASHINGTON, D.C.

Mr. TROUTMAN. Thank you, Mr. Chairman.

Members of the committee, ladies and gentlemen, I am John E. Troutman, Director of Plans and Programs of the National New Career Center.

I have no formal prepared statement which I would like to read to you. I do, however, have a small brochure, which I think covers in fairly good detail the purposes of the National New Career Center.

Mr. GRAY. Without objection, we will enter your entire statement in the record at this point.

(The document referred to follows:)

THE NATIONAL NEW CAREER CENTER DEVELOPMENT PROGRAM

PREFACE

In our society today as never before, the freedom of vocational choice is a vital and pervasive concern to all of us. Although a great deal of information designed to assist our young people in making the right choice is prepared by many sources, in both the public and private sectors, it is not always available to the many who need it, and particularly to those who need it the most—the youth, their parents, the counselors and the teachers of far too many of our nation's rural and inner-city communities.

To cope with this long standing and serious problem, in an effective manner, it is proposed that representatives of government, business, industry, organized labor and the many community groups be brought together on a voluntary and cooperative basis, to establish and support a permanent National New Career Center. The purpose is to provide, through the use of well prepared multi-media materials and dynamic physical displays, both an academic and physical panorama of the many diverse and often exciting career available within our free enterprise system.

To provide the best possible visibility for this important program, it is proposed that a permanent Career Center facility be established in the Washington area.

Not only will this approach help to simplify the matter of coordinating the many nationwide requests for available information on careers and on the related physical displays, but equally as important, it will represent a readily accessible and centrally located entity to be visited by countless thousands of youth and their peers who come into Washington every year, whether from nearby communities or from throughout the nation.

Although the task confronting the nation in bringing the National New Career Center into being is great, the seemingly perpetual and all too often overwhelming task of reclaiming many of the usually uniformed, often ignored, sometimes aggressive and visibly disillusioned youth of today is far, far greater. The establishment of the National New Career Center, therefore, is essential to the proper and continuing development of our youth and certainly vital, in the long term, to both our nation's economic and social well being.

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Why the Career Center.

Who will the Career Center serve.

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The Career Center development program.

The National New Career Center is being developed to serve as a catalyst and focal point for—

The acquisition and distribution of all currently available career planning information and related data, from whatever public or private source.

Coordinating and assisting with the efforts of many diverse kinds of organizations, in both the public and private sectors, in the development of new and more dynamically oriented career planning information, and specifically as such relates to new or entry level careers.

The development of both fixed and mobile displays and exhibits which will dynamically depict new career opportunities and fields, for use in both the National New Career Center in the Washington area and throughout the nation.

The interchange of both new concepts and programs relating to the most effective utilization of the available career planning information and exhibits, by both professional school and employment service counselors as well as many other interested users.

Among many others, the end products and services of the National New Career Center will be available to—

All high and vocational-technical school students, in both the public and private schools and systems.

The high and vocational-technical school drop-out.

The high school aged youth or other young adult enrolled in any one of our nation's several on-going special, complementary or supplementary education and training programs, such as those currently sponsored by either community or nationally based poverty oriented institutional or other types of organizations.

The college drop-out.

The unemployed young adult and older worker.

The underemployed or underutilized worker, of whatever age or educational achievement level.

The junior high school student, as the concept for providing career information at an even earlier age than at present, becomes more widely accepted.

The counselors, teachers, parents, employers or others who are responsible for either advising or working with, or on behalf of, those noted above.

The National New Career Center will be developed and supported on a strictly cooperative and voluntary basis by—

The government, at both the Federal, state and local level.

Organized labor.

Both business and industry.

Other diverse kinds of organizations concerned with a wide range of both social and economic development activities, at both the national and local level.

All of the above, in the manner deemed most suitable by the individual organization or group which is concerned, whether through the offering of resource materials, exhibits, personnel, financial support or through or by whatever means.

The National New Career Center will benefit those who will support and use it, in many ways.

For the various governments, an opportunity to—

Provide, through a single, effective, non-partisan and centralized entity, information on the many diverse kinds of careers which are available within its many individual and collective entities, at the Federal, state and local level.

Assist other public and private organizations in the conceptualizing or development of their own career planning information, in those areas where the utilization of government expertise, by such outside organizations, is based on a direct and continuing relationship.

Utilize career information from many other sources to supplement internally generated career information and to thus provide truly broad spectrum data, for use at the many excellent Government sponsored national and community oriented youth centers.

For business and industry, an opportunity to—

Provide comprehensive information on a wide variety of existing careers, with particular emphasis directed at the lower entry level and sub-professional levels.

Provide comprehensive information on the availability of the many new and often exciting careers which are either imminent or are just emerging, as such are based on new technological developments or advancements in the state-of-the-art.

For organized labor, an opportunity to—

Make known, in specific terms, the advantages of entering apprenticeship or other union related education and training programs and of the opportunities for continuing career development, under union sponsorship.

Make known to many, often for the first time, the important role of the labor unions in our vast economic system and in particular, of their increasing interest in all programs relating to the general welfare of the community.

For the community oriented organizations, an opportunity to provide, again often for the first time, information on the many existing, new and rewarding careers which have come into being in the usually less well known, but equally important community oriented organizations. Of particular importance, is that information relating to careers which are associated with our nation's Great Society educational and social development programs.

For the professional counselor and educator, an opportunity to—

Obtain, on a dynamic, continuing and relatively short term basis, comprehensive information on the broadest possible spectrum of new careers which are currently available.

Utilize this great wealth of available career information as an invaluable aid in the development of comprehensive career plans or programs for the youth or others which they continually advise and serve.

Utilize this same comprehensive career information as the basis for either the revision of existing curriculum or for the generation of new curriculum, not only for the usual recipients of such information but also for the professional counselors and teachers themselves, by institutions of higher learning, as may be required.

THE CAREER CENTER DEVELOPMENT PROGRAM

To ascertain the most effective way of developing the National New Career Center concepts and ultimately, the permanent physical facility, a planning phase is now underway which will continue for approximately one year. During this period, a number of diverse activities will be sponsored by the currently retained, but limited, Center staff, working in close cooperation with key representatives from business, industry, organized labor, counseling and education, Federal, state and local governments and from a variety of community groups.

As currently programmed, the principal efforts of this varied task force will be directed toward making a determination of—

1. The overall management philosophy, which must necessarily reflect the requirements and interests of each representative group, including those who both support and use, or need, the services of the Center.
2. The staffing pattern philosophy, including the roles of both the paid and contributory personnel.

3. The services to be offered by the Center including, ultimately, multi-media materials production and distribution, both fixed and mobile exhibits, career counseling research and development, staff training (of both the in-service and out-service varieties), visitor and referral testing and evaluation services, career planning, interviewing, monthly and quarterly reporting and activity journals, automated data services (on both a local and national basis) and others.

4. The optimum type of physical facility which will be required, when taking into account, 1) all of the above referenced types of activities, 2) the vast numbers of youth and others who will physically visit the Career Center in the Washington area, and 3) the extensive demands which will be placed upon the services of the Center, by those located throughout the rest of the nation.

5. The best method of funding the Center, both on an initial and continuing basis, including considerations of the non-profit or foundation approach, self-perpetuation through investment return upon initial investment, a yearly participant subscription approach, a tax credit allowance approach and others. Whatever approach does evolve, however, all supporting organizations and groups will share the costs which are involved, on an equitable basis.

To accomplish the above objectives within the given time frame, two major approaches are being taken. The first approach, through a series of regional conferences to be held in the East, Mid-West and the Far-West, will bring the Center planning staff together with key representatives from the proposed organizations, to discuss all facets of the overall Career Center program and to determine what additional services the Center can provide each such group or organization.

The second approach, is to establish an interim Advisory Council which will be comprised of prominent executives and administrators from the many major career fields which constitute our nation's free enterprise system. As such, the Council will be responsible for 1) organizing the various ad hoc national and community oriented Career Data Development Councils which are needed to assist in the development of the overall program, and 2) reviewing and acting upon the recommendations of the various Councils, relative to the finalizing of the detailed plans and programs needed to bring the National New Career Center into being as a physical, workable entity.

To assist the various national and local Councils and organizational representatives in their task force efforts throughout the coming year, a very comprehensive planning manual which will serve as a program development "guide," has been developed by the Center's current staff. Copies of this manual are available to all who need them and they may be obtained by writing to Mr. John E. Troutman, Director, Plans and Programs Division, The National New Career Center, Room 315, 1145 19th Street NW., Washington, D.C.

Mr. TROUTMAN. I will allude to this as we proceed.

I know there is a time factor involved here, so I will keep my presentation as short as possible.

The National New Career Center is an organization that has been established as of July 1, of this year. It is a very small organization at the moment, myself and one staff person. We are looking into the matter of how best to provide career information that can be used by the guidance counselors, professional employment service counselors, and others throughout the United States. This is our objective.

We are devoting a year, effective as of July 1, to conducting a feasibility study to determine how best to get this kind of information together, where it should be deposited, what else can be used to supplement this kind of information, to make the matter of career development by the various counselors more effective within their schools and operating entities.

We feel and have known for a long time—and I am sure all of you are aware of this—that the role of the guidance counselor, whether professional or in the school system, is a very difficult one. The rate of

change of technology, the rate of change of our physical environment, our political and geographical environments, all of these things reflect themselves in the new careers which become available as time goes on.

As I say, because of a tremendous rate of change of technology and all of these other factors, it is extremely difficult for any counselor anywhere to really and truly have a comprehensive understanding of this very great change, let alone trying to pass it on to thousands of individual children.

Now, as you well know, and specifically those of you who have children and have been concerned with the school systems and education, that the matter of guidance counselors is a pretty serious one, the matter of where we can develop more of these kinds of important people that we need for tomorrow, and how fast they be developed, and whether the technologies of training can be changed to keep up with the demands that they have put upon them.

The ratios, of course, as you know, vary somewhat from the most affluent sections of our country, possibly 275 students to one counselor, to the less affluent sections—certainly in the ghetto areas, the deprived areas as it were, the ratio can be as many as 2,000 youngsters to one guidance counselor. So if you divide the normal working hours of a counselor in the year and then again divide this by the fact that the counselor must provide physiological and other kinds of interpersonal help to the youngster as well as the career information, and of course the amount of time which is spent on providing career help and guidance, it is pretty slim indeed.

So what we are attempting to do with our New Career Center here is to determine how business, industry, organized labor, the educators, the counselors, the school systems, and the community groups in particular, can be brought together in an entity to determine how this problem can be evaluated.

We are to look at this in very specific and concrete terms. This we plan to do in the next coming year.

Mr. GRAY. This is a very worthy program. I am trying to determine, are you advocating possibly having space here, public space, so you could recruit counselors, or to orientate people as to what your program is?

Mr. TROUTMAN. Yes. This, Mr. Chairman, is the point which is germane to our Center and the reason for my being here today is the fact that we, first of all, feel we must start off by establishing our National Center and in the second generation of this program, then to establish what we call a Community New Career Center, which are the ones to be located throughout the United States in any community that wishes to set one up.

Now we have several hundreds of thousands of young people coming to Washington every year. Their reasons for coming here are quite varied. But we feel by having a National New Career Center of the type we are describing here available for them, we will find that many of them, their parents, will see to it that they go there; their teachers will ask them to go there, their counselors. And we would like to make the facility available to these hundreds of thousands of young people.

We also want to make the Center available to others, but the main thrust is for the young person of high and junior high school level.

We feel that by having a facility like the National New Career Center, there would be a very logical next step to have it located either as a part of your Visitor Center as you now envision this thing and are working toward it, and if not this, as an alternative, to have it fairly close by, or for us to have a reference facility within the Visitor Center to which you can then be referred to other parts of our program in other parts of the city.

So this, of course, is the main tie-in. As I say, we do hope in our National New Career Center to offer opportunities for the testing of the young people, to provide counselors—counselor recruiting could certainly be a part of this. We hope to have summer workshops for counselors, for teachers, with industry people, labor union people coming down, possibly serving as teachers for these other groups to provide a real positive kind of interchange of information of this kind within the Center.

As I say, the germaneness does lie in the fact we feel this is a most appropriate kind of thing to have located as part of your Visitor Center. This is the reason that I am here to talk on behalf of the Center today.

Mr. GRAY. We appreciate your coming. As I said, it sounds like a very meritorious project on your part and something that is certainly needed.

I would suggest very strongly that once this has been approved and the Visitor Center is being planned in depth by the architect and engineers, the National Park Service, and so forth, that you consult with the National Park Service to find out if maybe space could not be secured there in the public interest.

I might also call to your attention just on yesterday we had a private group here who said that if they could get authority, they would build a \$300 million complex behind this station for this very thing, providing space for public displays, for the various States to come in and display their historical backgrounds and the types of goods and services that that State produces. I certainly think this could be handled very well with that type of facility.

Mr. TROUTMAN. Yes.

Mr. GRAY. The point I am making, if we can get started on the Visitor Center, I feel this would be the impetus for other things like you are proposing to come along to be in conjunction. Because nowhere in the world would you have a captive audience of 15 or 20 million people a year congregate in one area, and certainly this would tie in.

I deeply appreciate your coming and I can assure you that your entire testimony will be in the record for all members of Congress to read. Testimony gathered in hearings will be printed and will be available for public use.

Mr. TROUTMAN. One other point, Mr. Chairman, please. Just another several minutes here.

Mr. GRAY. Yes.

Mr. TROUTMAN. This I think is a very germane one, too, as far as your extensive efforts that you have put into this thing at the present time.

I was interested in Mrs. Coopersmith's comment regarding Expo 67. I found it to be a very excellent kind of operation and encompasses very much.

On my way back from Expo 67, I stopped in at Ottawa and met with several of the officials of the Department of Manpower and Immigration. I was consultant to the Canadian Government last November, this same Department. I had an opportunity to go back to discuss business matters with these people. While I was there talking to two of the officials of the Department, I had the opportunity to review for them this National New Career Center, which we are looking at right here for the Washington area, and the chief official's comments were, he said, "Good gosh, we have got a Union Station here in Ottawa, too. Why can't we think in terms of doing the same thing?"

It occurred to me, Mr. Chairman, that I would recommend rather strongly that as you go along and develop your materials, your brochures, your programs, that you make the information that you are getting together, bring it to the attention of the mayor's council, because I am sure most of the cities have a Union Station. I know I do. I, for one, used to like to see the one in New York. I hated to see the Pennsylvania Railroad Terminal turned down. Based on this chance remarks of the Canadian officials, as I say, I think this is an excellent thing and I would like to see your organization make the mayors' council aware of this and let the rest of the cities look at the Union Stations as well. This allows us to retain our artifacts, as you will, in terms of the older buildings and this type of thing, and I think this a very commendable program you are working on.

Thank you.

Mr. GRAY. Thank you, Mr. Troutman. You have been very helpful. We deeply appreciate your patience in waiting and certainly your testimony.

Are there any questions or comments?

We have one statement here from Mr. James Hodgson, of the Capitol Hill Restoration Society, who was to appear earlier but because time ran out he was kind enough to submit his statement, so it will be printed, without objection, in the record.

(The prepared statement of Mr. Hodgson follows:)

TESTIMONY OF THE CAPITOL HILL RESTORATION SOCIETY AND CAPITOL HILL
COMMUNITY COUNCIL

My name is James B. Hodgson, Jr., of 506 A Street, S.E., Washington, D.C. I have been authorized by the presidents of both the Capitol Hill Restoration Society (a sustaining member of the National Trust for Historical Preservation) and the Capitol Hill Community Council (a member of the D.C. Federation of Civic Associations) to make this statement.

The Capitol Hill Community has shared with this committee its long-standing commitment to the beautification of the Capitol environs including especially the preservation of the major landmarks which notably include the Union Station. We are very happy to see the felicitous solution to the difficult problem of the preservation of the Station which this legislation represents. We wish to recognize particularly the contribution which the Chairman of this Subcommittee, Mr. Gray, has made to leading the negotiations between the Federal Government and the owning railroads to an arrangement which appears to be so beneficial to the Nation as a whole. This represents an outstanding example of having found a new use for an old building which will preserve its architectural distinction for posterity.

We also hope that the further negotiations will be as outstanding in the field of transportation, because this project can also provide a model of the sort of "transportation center" about which Mr. Wilbur Smith has so eloquently written. This project, which is expected to handle some 5,000 visitors per hour, will be served by several modes of transportation and could provide a model solution to the "intermode transfer" problem.

The terminal, first, is already going to be the southern end of our American version of the Japanese Tokyo-Tokaido high speed rail line, and will link the Visitor Center and the business district of Washington with Philadelphia, New York, and Boston. Studies indicate that within the current technology, rail transportation can compete with air transportation from conventional airports if the origin and destination are not over 250 to 300 miles apart. Where competition exists among products, our economy seems to give the nod more to promotional efforts than to absolute scientific proof of product superiority. It seems likely that the Visitor Center will contribute substantially to the acceptance of the Northeast Corridor rail project by making the terminus attractive, by providing services, and by easing the problems of transportation after arrival.

Second, the Visitor Center will have a subway station. This should encourage many visitors to leave their cars at their hotels, motels, or relatives in the suburbs, or to use the fringe parking lots and minimize the need for parking and street congestion around the Capitol and Mall area. The availability of the subways should link them easily to the Zoo and to Arlington Cemetery. Someday the lines will undoubtedly be extended to National Airport and Dulles, thereby making the Visitor Center and Union Station a desirable airline terminal. Rapid service can also be provided from Union Station to Friendship Airport, reinforcing the importance of the Visitor Center.

Third, the Visitor Center could be connected to the airports by helicopter, though the effective provision of subway and rapid rail service might reduce the need for helicopter service, since the rail mode is not subject to disastrous slowdowns at exactly rush hour when the major demand exists to get to and from the airports. Any reduction in the need for helicopter service would be viewed with favor by the residents of the area. The very noisy experience with the experimental service between the site for the Third Congressional Library Building and the three airports led many residents to hope that these vehicles would fly closer to the halls of the legislature and the offices of business than to them.

A fourth mode of transportation is the highway bus. Currently the bus stations are in a very inconvenient location, difficult for the most frequent users to reach, because they are easily accessible only by taxi. Other than current contractual commitments, there appears to be no compelling reason why that location, like the adjacent location of the airlines terminal at 12th and K Streets, N.W., would be preferable to the Visitor Center-Union Station site. With some million of square feet of air rights space available over the tracks (an area comparable to the entire Judiciary Square-Pension Building site) and with potential highway connections to the 4th Street Freeway and along the tracks to New York Avenue, there is an obvious potential for a major bus transportation terminal associated with the parking facility, similar to the New York Port Authority terminal, but superior in location and accessibility to the other transportation modes and to the places of interest.

We are conscious that nothing gets done unless there is some tangible profit above the general benefit to the community and the nation. Doing good is not enough. There may even be some current commitments and vested interests which would make the transfer of the facilities difficult. We would hope that the Commission would exert its influence and the executive powers of the city to effect the transfer; however, there may be other inducements.

We suggest that the founders of the Visitor Center and the owners actively pursue the notion of an international trade fair center to exploit the air rights over the track area and above the parking and bus facilities. This can be done in a most profitable manner, both to the owners and the nation.

We note that American industry has no central location to display its wares to the thousands of industrialists and government officials who come to Washington to negotiate with the World Bank, the Agency for International Development, etc. A well designed, permanent industrial exhibition is a logical facility to locate in this most accessible of spots, a stone's throw from the Congress. Here it could also serve as an inspiration and educational institution to the youth of America who are touring their Nation's Capital. Mr. Schwengel's interest in immersing the youth in the history of our country could be supported by a preview of the future. It is suggested that American manufacturing industry would pay well for such a prestigious show room.

We hope that the Commission, which has functioned so effectively thus far, will be able to complete its negotiations successfully, and will be able to achieve the potential of this most exciting project, a transportation and visitor center which can literally be an American showcase to the world. Many of us are tired

of hearing about the wonders of Stockholm, Moscow, and Tokyo. We feel that the traveler's dollar has a great deal of clout, and that the Commission should be able to guide that clout effectively to move toward a great solution. Possibly that clout may outweigh some of the manifold difficulties in Washington in getting anything at all done, of achieving agreement between the Commission of Fine Arts and the National Capitol Planning Commission, with the Federal Aviation Agency and the Public Utilities Commission, with the District of Columbia Government, the District Highway Department, and the Federal Bureau of Public Roads and with the Washington Metropolitan Area Transit Authority, and finally with all of the private interests involved. This is a monumental order. If the Commission brings it off, then all involved will deserve a significant place in history.

Mr. GRAY. We also would like to ask unanimous consent that all statements that we have received—and we have received numerous statements from Members of Congress and other individuals and organizations concerning this proposed legislation—printed in the record.

Without objection, so ordered.
(The statements follow:)

NATIONAL CAPITAL USO,
Washington, D.C., October 9, 1967.

HON. KENNETH J. GRAY,
*Chairman, Subcommittee on Buildings and Grounds, Public Works Committee,
House of Representatives, Washington, D.C.*

DEAR MR. GRAY: As you know, the USO is deeply interested in the possibilities inherent in the proposal to convert Union Station into a National Visitors Center to include an appropriate USO facility, as recommended in the report of Secretary Udall's National Visitors Center Study Commission.

The accompanying statement by Henry W. Clark, Vice President of National Capital USO, Inc., and Chairman of our Building and Facilities Committee, is submitted for your own and your Committee's further information and consideration.

This statement, with the letter you have received from the USO National President, General Emmett F. O'Donnell, presents the USO position with respect to the National Visitors Center proposal. If any additional information is desired, every effort will be made to furnish it.

Your own and your Committee's interest in and action toward providing the Nation's Capital with the kind of National Visitors Center it should have are warmly appreciated by all who are directly concerned with the USO program in Washington.

Please be assured of our best wishes and of our desire to cooperate fully in this most important project.

Sincerely,

JAMES G. DUNTON, *President.*

USO IN THE NATIONAL VISITORS CENTER

Statement of Henry W. Clark, Vice President and Chairman, Building Committee

The Purpose of this statement is two-fold: *first*, to express the appreciation of the United Service Organizations for the consideration which the National Visitors Center Study Commission has given to the USO in the report recommending conversion of Union Station into a National Visitors Center; and *second* to express the hope that the Congress will approve the Commission proposal with such modifications as may be possible to allow the USO the space needed for all of the free or at-cost "in town" services which should be available in the Nation's Capital for men and women of our own and Allied Armed Forces and for the dependents of our service personnel.

The USO originated early in World War II as "a voluntary civilian organization, established by the six member agencies, through which the people of this country serve the religious, spiritual, social, welfare, educational and entertainment needs of the members of the Armed Forces in the United States and in overseas areas." The six member agencies are the Young Men's Christian Association, National Catholic Community Service, National Jewish Welfare

Board, Young Women's Christian Association, Salvation Army, and the National Travelers Aid Association. Traditionally the President of the United States is Honorary Chairman of the USO. The American people support the USO through their local United Funds and Community Chests.

National Capital USO, incorporated in the District of Columbia and chartered by National USO as an autonomous organization, is responsible for all USO operations and activities in the Washington area, to include neighboring sections of Maryland and Virginia. National Capital USO is a member of the United Givers Fund and receives USO operating funds allocated by the Health and Welfare Council. The first Lady is Honorary Chairman of the USO in Washington.

National Capital USO maintains a USO Lounge in Union Station, in the space originally reserved for use by the President of the United States. (Even now, this area is sometimes used for official occasions in connection with arrivals by train.) The space is made available by the Washington Terminal Company as a public service.

The USO Lounge offers round-the-clock services such as information, free baggage checking, tour guidance, games, home area newspapers and other reading materials, radio and television, rest rooms with special features for men needing a quick uniform press or repair and for mothers with small children, couches for "napping" between trains, "wake-up" service, etc. Currently more than 11,000 Armed Forces personnel or dependents are being accommodated at the USO Lounge each month.

National Capital USO also maintains a USO Club at 451 Penna. Ave., N.W., opposite the National Gallery of Art. The limited, unattractive and inconvenient USO Club space on the first floor of the old Ford Building, has been made available to USO by the District of Columbia Government. It should be noted that the Ford Building is one of those which will be razed when the Pennsylvania Avenue Plan is further implemented.

At the USO Club, a professional staff supplemented by some 300 Senior Volunteers and Junior Hostesses provide information services, operate a non-profit canteen. Offer television and reading materials, and conduct an activities program for servicemen and women stationed in or passing through the Washington area. The activities include free Sunday breakfasts, holiday lunches, dinners, formal and informal parties and dances, movies, games, variety shows and other amateur and professional entertainment, guided tours, projects for hospitalized service personnel, and other special events. Many of the activities are sponsored by church groups, patriotic societies, veterans, civic, women's business and professional organizations of Washington and suburban communities. At the Club the door-count is also averaging about 11,000 to 12,000 per month, in spite of the fact that the Club capacity is limited to 300 at a time and the space available cannot be adapted for a well rounded USO program.

National Capital USO extends its reach by maintaining a direct line information service, round-the-clock, from USO telephones in the Greyhound and Trailways bus terminals and at the Statler Hilton Hotel. Information desks at Andrews Air Force Base and at the hotel are staffed on a part-time basis by USO Volunteers. The Lounge and Club also provide information services in answer to telephone calls from National Airport and Dulles International Airport.

Thus the two USO facilities, with the information services by telephone, do in effect constitute a "Visitors Center" for Armed Forces personnel and their dependents who need help or wholesome entertainment while they are in Washington. The success of the USO effort to meet their myriad needs reflects not only the proficiency and enthusiasm of the USO staff and volunteers but also the interest and cooperation of the community leadership which is represented in the USO organization. The Senate and the House of Representatives, the National Park Service, the D.C. Government, Selective Service, Metropolitan Police Department, Washington Board of Trade and many other agencies and organizations are represented on the USO Board of Directors or in the USO corporation.

National Capital USO has a close working relationship with the Department of Defense and with the headquarters of the major Army, Navy, Air Force, Marine Corps and Coast Guard commands in this area. The Assistant Secretary of Defense for Manpower is an *ex officio* member of the USO Board of Directors as well as a member of the National USO Board of Governors. The Commanding General, Military District of Washington, the Commandant of the Washington Naval District, the Commander of Air Force Headquarters Command, the Commanding Officer of the Marine Barracks, and the Chief, Headquarters Services, U.S. Coast Guard, are also *ex officio* members of the Board of Directors and are present

or represented at every Board meeting to participate in the USO effort to provide the best possible "in town" service to service personnel.

The USO staff works directly with special service offices at all Armed Forces installations in the Washington vicinity and neighboring States to accommodate individual visitors from those installations and to arrange guided tours or other special projects for groups. These individuals and groups come from the nearby posts, camps, stations and bases, such as Andrews and Bolling Air Force Bases, Fort Belvoir, and the Marine Corps Schools at Quantico, and also from as far away as Fort Meade, Aberdeen Proving Ground and Patuxent Naval Air Station in Maryland, Dover Air Force Base in Delaware, Fort Lee and the various Army, Navy, Air Force, Marine Corps and Coast Guard facilities in the Norfolk, Virginia area, and from installations in North Carolina.

Although more than 250,000 young men and women of the services come to the Lounge or Club in the course of a year, the USO is aware that many thousands of others would be served if the USO were in a centralized transportation situation such as the National Visitors Center will create. It would not be unreasonable to estimate that a USO in the National Visitors Center would be required to accommodate at least 500,000 servicemen, women and dependents in a twelve month period. There is little or no prospect that the number of Armed Forces personnel stationed in or passing through the Washington area will decrease in the foreseeable future. Even in a peacetime situation there will be hundreds of thousands of young men and women in the Armed Forces, many away from home for the first time. When they come to Washington, they and the community and their country will be best served if the USO is there, prepared to serve them in every respect at the least cost to them.

On the basis of USO experience in other major centers of troop concentration or travel, the USO is hopeful that as much as 12,000 square feet of space in the National Visitors Center can be made available for USO use. Since many of USO's visitors arrive with heavy duffle bags or other luggage, an area on the ground floor would be preferable, although space on the mezzanine or second floor would not be unacceptable provided escalators are installed. Also, considering administrative and control requirements, it would be preferable and more economical to have all USO space on one floor; however, the important consideration is the total amount of space that will be needed and USO functions could be divided, if necessary, to have part on the ground floor and part on the mezzanine, or part on the mezzanine and the remainder on the second floor.

The 12,000 square feet of space would allow for the necessary administrative offices and meeting rooms, for a transient lounge (to include an Armed Forces Information Central, reading room, game room, radio-television room, snack bar, cloak and baggage checkroom, shower room "do-it-yourself" laundry, women's dressing room and nursery for dependent wives with small children) and for a club room for special parties, such as inductee groups and troop units of 40 to 100, for "between trains" sleeping, for scheduled events such as chess tournaments, and the various social and entertainment features such as breakfasts, luncheons, suppers, dances, movies, variety shows and other amateur and professional presentations which are sponsored or arranged by cooperating organizations.

National Capital USO has not indulged in wishful thinking to the extent of having any floor plans drawn to show precisely how the 12,000 square feet of space would be used. However, the National Headquarters of the USO in New York does have and will furnish copies of floor plans of comparable USO facilities. Since these plans have been developed in the course of 25 years of USO experience in major cities of the United States and other countries, it is believed that they will serve the purposes of the authorities who will be responsible for the final plans for the National Visitors Center.

By approving the National Visitors Center Study Commission's proposal, to include adequate space for a combined USO Club and Lounge operation offering free or at-cost services to all Armed Forces personnel and their dependents, the Members of Congress can reaffirm their own and the Government's concern for the welfare and well-being of members of the Armed Forces when they are in Washington and give the Nation's Capital the kind of USO it should have.

The USO in the National Visitors Center should be a "show case" facility, a source of patriotic pride for this community and for the country. The officers and directors of National Capital USO are confident that the people of the Washington area will continue to support the USO through the United Givers Fund and through any special projects that may be in order to meet the operating costs of such a USO facility in the Center.

UNITED SERVICE ORGANIZATIONS, INC.,
New York, N.Y., September 18, 1967.

Hon. KENNETH L. GRAY,
U.S. Capitol, Washington, D.C.

MY DEAR MR. CONGRESSMAN: I am glad to note that Mr. James G. Dunton, President of the National Capitol USO in Washington, has been in touch with you about the inclusion of an adequate space in the new National Visitors Center for a USO Club and Lounge.

As you may know, USO has been operating a Lounge and Club in Union Station since its inception prior to World War II in 1941. Over the years millions of transient men and their families have found a welcome rendezvous and service especially designed for them, a "home away from home", provided by the American people to let them know that their fellow countrymen appreciate their service and sacrifice.

I have also written Secretary Udall to tell him with what importance we at USO National Headquarters regard the opening of a USO Center in the new National Visitors Center to serve the growing needs of the hundreds of thousands of men and women in uniform passing through the Nation's Capitol City en route to new posts and stations, or just sight-seeing. We hope to make this a national showcase also, of the worldwide program being carried out by the USO in behalf of those in uniform, at home and overseas, from Vietnam to Turkey and Greece and other parts of the world where our Armed Forces are on duty.

I do hope you and your committee will give an attentive ear to the plans and suggestions Mr. Dunton will present.

Be assured that we at National Headquarters stand ready to lend every appropriate assistance possible.

Sincerely,

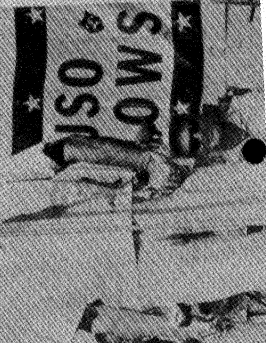
EMMETT O'DONNELL, Jr.,
General, U.S. Air Force (Retired), President.

and sends live entertainment in the famed USO SHOWS

Heidi is stationed under the American flag at the headquarters of the USO Shows in travel and entertainment. He is the only one who can get the stars, for get deep on stage and to the audience. He is the only one who can get the stars, for get deep on stage and to the audience. He is the only one who can get the stars, for get deep on stage and to the audience.

USO shows are given in the United States and abroad. They are given in the United States and abroad. They are given in the United States and abroad. They are given in the United States and abroad. They are given in the United States and abroad.

USO shows are given in the United States and abroad. They are given in the United States and abroad. They are given in the United States and abroad. They are given in the United States and abroad. They are given in the United States and abroad.



USO is there because you care

USO is a voluntary organization of the American people. It is a voluntary organization of the American people. It is a voluntary organization of the American people. It is a voluntary organization of the American people.

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you know
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307 EAST 58TH STREET
NEW YORK, N.Y. 10022

Someone
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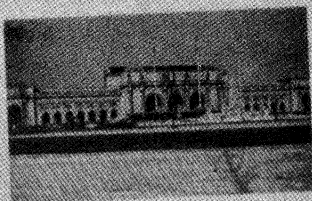




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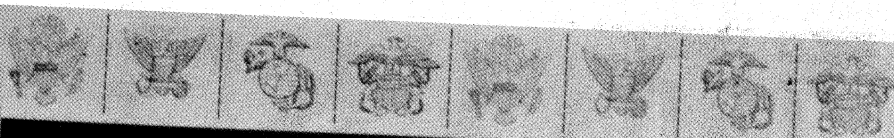
members of the
armed forces
and their families

In Washington
the place
to go
is the



National Capital USO, Inc.

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Delaware: Dover

District of Columbia: Washington

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Georgia: Albany, Atlanta, Augusta, Columbus, Savannah, Valdosta, Warner Robins

Illinois: Chicago, Rentoul

Iowa: Sioux City

Kansas: Junction City, Topeka

Louisiana: Leesville

Maine: Caribou

Maryland: Aberdeen, Baltimore

Massachusetts: Ayer, Boston

Michigan: Detroit, Mt. Clemens, Marquette, Sault Ste. Marie

Minnesota: Duluth

Mississippi: Biloxi

Missouri: Kansas City, Rolla, St. Louis, Waynesville

Montana: Glasgow

Nevada: Reno

New Hampshire: Portsmouth

New Jersey: Cape May, Long Branch, Trenton

New York: New York City, Plattsburgh, Syracuse, Rome

North Carolina: Fayetteville, Goldsboro, Jacksonville, New Bern, Wilmington

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Washington: Oak Harbor, Seattle, Spokane, Tacoma

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Sigay

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*Operates only when fleet is in port

USO

NEWS LETTER

Vol. 3, No. 5 September, 1967

Published by the USO, 237 East 52nd St.
New York, N.Y. 10022

USO is a voluntary civilian organization established by its Member Agencies through which the people of this country serve the religious, spiritual, social, welfare and educational needs of the members of the Armed Forces.

The President of the United States
Lyndon B. Johnson
Honorary Chairman

Harvey S. Firestone, Jr.
Chairman of the Corporation

Holgar J. Johnson
Vice Chairman of the Corporation

General Emmett O'Donnell, Jr.,
USAF (Ret.)
President

Stanley B. Ecker
Chairman, Executive Committee

Justin M. Morrill
Executive Director

Member Agencies

Young Men's Christian Associations
National Catholic Community Service
National Jewish Welfare Board
Young Women's Christian Association
The Salvation Army
Travelers Aid Association of America

USO is supported by United Funds,
Community Chests and independent
campaigns in New York City, Chicago
and elsewhere.



USO president General Emmett O'Donnell, Jr., USAF (Ret.), with Senator Homer E. Capehart, attending the August Indiana National Bank Luncheon, Indianapolis.

Former Senator Capehart Named USO National Campaign Chairman

The Honorable Homer E. Capehart, former U.S. Senator (Rep) from Indiana, has been appointed the new USO National Campaign Chairman, General Emmett O'Donnell, Jr., USAF (Ret.), USO President has announced.

He was elected to the USO Board of Governors at its meeting September 21, and was also named a member of the USO Executive Committee.

Mr. Capehart fills this important National USO post which has been vacant since the death of its previous Chairman, the late Admiral Chester C. Woods, in 1965.

The distinguished Indianan was first elected to the Senate in 1944, was re-elected in 1950 and again in 1956, for a total of 18 years service in the U.S. Senate.

He has engaged in manufacturing and in 1927 organized the Capehart Corporation. He is active now in the operation of a 2,000 acre farm in Daviess County, Indiana, where he first gained national attention by his sponsorship of the Republican "Cornfield Conference" in 1938.

He was married in Wrightstown, Wisconsin, on January 19, 1922, to Irma Mueller, and is the father of three children: Homer Earl, Jr., an Indianapolis attorney; Thomas C., deceased; and Mrs. James C. Pearson, of Washington, D.C. Senator Capehart is a member of the Lutheran Church, the American Legion, the Burning Tree Country Club of Washington, D.C., the Masonic Order (32nd degree) and other societies in Indianapolis and Chicago.

Before assuming his Chairmanship, Senator Capehart spent several days with General O'Donnell and Executive Director, Justin M. Morrill, getting acquainted with members of the USO National staff.

On December 7, 1941, he organized and directed a rally successfully launching the Indianapolis drive of the United Service Organizations.

NOTICE: USO National Headquarters received word from Bernie Carvalho, Executive Director of the USO Club in Fairbanks, Alaska, that though the basement which houses a dormitory and snack bar was completely inundated the first floor, which is about six feet above the ground level, escaped the flood waters. The Commanding Officer of "Murphy Dome" a nearby military installation is sending several soldiers each day to Fairbanks to help the USO staff put the club back in operation. Damage to the facility and equipment is not as extensive as we originally thought. The home of the Director was flooded and both Bernie and his wife suffered considerable personal loss.

As we go to press we have heard from Bernie that the USO is back in operation with a temporary canteen and dormitory on the first floor. He hopes to have the full club in operation before the first freeze comes in September.



Danny Kaye addresses press at conference held following his return from a two-week tour pioneering initiation of Pacific Hospital Circuit.

Vincent J. Romeo, Vice Chairman of the USO National Council has announced that the 1968 National Council Annual Meeting will be held on March 28th and 29th at the Marriott Motor Hotel in Dallas, Texas.

Danny Kaye Opens New USO Shows Pacific Hospital Circuit

At the request of the Department of Defense, United Service Organizations, Inc. (USO), has established a Pacific Hospital Circuit to bring entertainment and celebrity visitors to servicemen wounded in Vietnam who have been evacuated from the front lines to convalescent hospitals in Guam, Okinawa, the Philippines, Taiwan, Japan and Hawaii.

Colonel Jerome Coray, Director of USO Shows, announced that the new USO Shows circuit was officially initiated September 1, 1967, and will include a total of eight shows per month — four handshake tours and four variety shows.

Because of his vast experience in touring military camps and bases for USO Shows for many years and under all conditions, internationally famed comedian Danny Kaye was asked to pioneer the new venture with a two-week handshake tour of Japan, Guam, Okinawa, and the Philippine Islands. Returning in late August, Kaye reported at a press conference held at USO National Headquarters, New York, that he found the tour more "incredibly rewarding" than any similar experience in his career. Kaye returned to the West Coast where he will assist the USO in recruiting star talent in a "call-to-arms" to support the new program.

Talent for the shows will be drawn from three major sources: USO-Hollywood Overseas Committee; The National Cartoonists Society; and the Society for the Preservation and Encouragement of Barber Shop Quartet Singing in America. The USO-HOC will furnish top motion picture and television stars for two variety groups and two handshake tours per month. The National Cartoonists Society has agreed to provide at least six cartoonists groups per year for the hospital program, and no fewer than six Barber Shop Quartets per year will be provided "to stimulate barber shop singing among the hospitalized wounded and organize quartets among the patients."

Also in the planning stages for the hospital shows are visitations by prominent figures from the sports world.

The National USO Shows office in New York will coordinate the entire program. Part of the touring celebrities will be recruited in New York City and the remainder will be provided by the USO-Hollywood Overseas Committee on the West Coast.

This new Pacific Hospital Circuit is an expansion of the existing USO Shows program. The other groups are the special Vietnam celebrity program recruited by the USO-Hollywood Overseas Committee; the paid professional shows playing bases — large and small — around the world; and the college show tours with volunteer students presenting Broadway shows, choral and instrumental groups.

National USO 1968 Operating Budget Expected To Be Up Approximately \$1,000,000

The question on many minds is: Can we raise the money? In a special informative letter to the Chests and Funds from President General O'Donnell early in August, General O'Donnell said, "We think we can, and without resort to any special emergency appeal.... If every local United Fund and Community Chest allocates its "fair share" of the USO quota, we can honor our obligations to our servicemen without any supplemental emergency appeal." This increase is within the total budget approved by NBCC last spring. The response from our friends in Federation has been very heart warming.

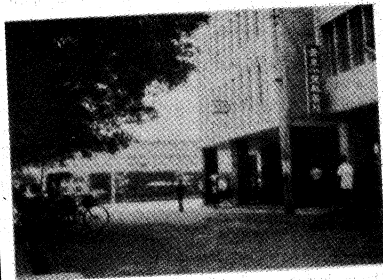
In a reply from Gettysburg, Pennsylvania, The United Fund stated "We all realize the tremendous job the USO is doing and we want to give our full support." The Warren County, Pennsylvania, Fund said, "We recognize the increasing needs and have increased your previous allocation 33%." From East St. Louis, Illi-

nois: "Your straight-forward presentation of USO services in Vietnam of increased needs for 1968 will be warmly reviewed by our Budget Committee." The Lake Charles, Louisiana, Fund stated their appreciation for the fine support USO has given to the United Way campaigns. "There is no other national agency that produces the same quality of highly visible support for the United Way as USO." North Attleboro, Massachusetts said, "USO's association as a member of our campaign lends prestige to our Community effort." Milwaukee, Wisconsin replied, "Your very informative letter is most helpful. It has been our practice to try and carry our fair share and the attitude of our Board toward USO will continue to be favorable."

In addition to this, an all-out effort is being made to conduct more USO campaigns in non-federated areas.

General O'Donnell is very grateful to the many friends of USO.

During a recent visit to USO National Headquarters from their posts in Southeast Asia, Joseph A. Tvedt, USO Executive—Pacific (left), and David L. Walton, Director of Operations for Vietnam, confer with Herbert I. Kenny (extreme right), Secretary, National Budget and Consultation Committee. The NBCC annually reviews the USO program and budget, reporting its findings and making recommendations to the United Funds for support of USO operations.



ictured above is the modern structure housing the new USO installation which opened July 11 at Taichung, Taiwan (Formosa). The club, located on the seventh and eighth floors of the building, offers a comfortable lounge and reading area, information center with snack bar facilities due for completion shortly. Formal dedication and opening ceremonies are scheduled for early fall. Mr. William Semkow is the Executive Director; it was through his ingenuity and hard work that this new club was made possible.



THOMAS D'ARCY BROPHY

On July 29, while attempting to rescue two of his grandchildren from a rolling car parked at a supermarket, Thomas D'Arcy Brophy was killed.

Mr. Brophy had been associated with USO since its inception, was a USO founder, and the first Chairman of the USO National Public Relations Committee. He continued to serve as an active member of the Board of Governors, frequently on the National Public Relations Committee, and during 1966 served as head of USO's Twenty-Fifth Anniversary Committee. He never ceased to give of himself to carry out the purposes for which USO exists.

With Mr. Brophy's death, USO has lost a close friend, an unstinting benefactor, and a tradition.



Vol. 1, No. 3

PROGRAM EXCHANGE

September, 1967

Published Quarterly by the USO Inter-Agency Committee for Program Development

Regional Meetings Planned

Enthusiasm is mounting as the time draws near for the two USO Regional Staff Conferences. Atlanta, Ga. is expected to host 110 participants September 11-14, and San Francisco, Calif. will welcome 85 staff members September 25-28.

Projection of future USO program and the effect on staff, military personnel served, local Councils, volunteers, and administration will be the focal point for both conferences with Justin M. Morrill, Executive Director, USO, Inc., addressing the opening dinner meetings on "USO in 1970."

Panel members for the Tuesday A.M. session "Young Adults in Today's World," relating to the new morality and ethical values and the current generation of servicemen will include: Mrs. Helen F. Southard, Director, Bureau of Research and Program Resources, National Board, YWCA; Lt. Col. Fergus Monahan, USA, Surgeon General's Office, Washington, D.C.; Rev. George Hagmaier, C.S.P., Associate Director, Institute for Religious Research, New York City; and Capt. Frederick Brink, CHC, USN, Naval Base, Newport, R.I.

The luncheon address "The USO Professional in Today's World" will be given by James S. Mitchell in Atlanta and Dr. David F. DeMarche in San Francisco. Following, discussion groups will probe the subjects presented at the morning and luncheon sessions.

Local and national USO Councils will be explored Wednesday morning in Atlanta by Mrs. Jane Butcher, Secretary, USO National Council; and Arnold Bernstein, Vice President, USO Council, Columbia, S.C. San Francisco's discussion will be led by Mrs. Bartlett B. Heard, member of the San Francisco Bay Area Council, and Mrs. Harry J. Ragen, San Diego USO Council.

continued top next column

Members of the Committee and Editorial Board

*Mr. Donald E. McGraw, YMCA, Chairman; *Miss Dorothy Boardman, YWCA; *Mr. Joseph Greenhut, NJWB; Mr. Paul W. Gaylor, TAA; Dr. Maurice M. Hartmann, NCCS; *Mr. Eugene Schram, USO.

**Editorial Board*

The National Council presentation at both conferences will be made by Dr. Joseph Gluckman, Coordinator, National Council, USO, Inc.

"The Volunteer" will be the luncheon topic of Dr. Marvin C. Goldstein, Regional Chairman, Armed Services Committee, Jewish Welfare Board, Southern Region, Atlanta; and Miss Rhoda Andersen, Executive Director, Volunteer Bureau, Los Angeles Area, at the San Francisco conference. Following Dr. Goldstein in Atlanta, Edward M. Kirby, Director of Public Relations, National USO, will address the luncheon on the subject "Creativeness in USO Public Relations."

"Creativeness and New Concepts in Administration," in the areas of program, personnel and finance will be discussed on Wednesday afternoon. Prior to Justin Morrill's closing remarks on Thursday, task groups working on assigned projects during the conference will present their reports.

EUROPEAN STAFF MEETS

The 1967 European Staff Conference was held at the Isle of Capri, June 27-30. It was a first time experience for nine of the conferees.

Lt. Col. Gene Crook, USAF, J-1 of EUCOM, Stuttgart, Germany—an important observer at all sessions—commended the—"can-do-attitude" of all staff, and wrote in a personal report to Mr. Morrill, "... with the spirit that prevails throughout this area USO should have no worries about the way its program and facilities will be operated."

The conference covered budgeting, Council structure and its greater usage, building renovations, publicity and exchange programs. Gene Schram who was present for the entire conference reported that, "the European staff is highly motivated, imaginative and young in spirit and ideas—a staff that merits the often-mentioned esteem of our military commands in Europe."

While in Europe, Mr. Schram inspected club facilities, met with local Councils and staff at Rota, Paris, Nice, Rome, Naples, Malta, Istanbul.

PROGRAM BRIEFS

... The Commonwealth of Puerto Rico flew 4,000 pounds of food to **LAWTON, OKLA.** for the Puerto Rican party last Christmas Day which was attended by 800 men, women and children. Finances were arranged through the assistance of the Post Chaplain. The program received tremendous volunteer support. The Puerto Rican party received the Armed Services Department of the YMCA Blue Ribbon Program Award.

... A village inviting one hundred men to attend a fiesta in the town square and another invitation for fifty men to attend a barbecue at a large and prosperous ranch are just a few of the many unique invitations extended to service personnel through the **GUAM USO** for Holiday Home Hospitality.

... In **OXNARD, CALIF.** the USO sponsored a field trip to the Port Hueneme Seabee Base for 32 children enrolled in Operation Head Start at Guadalupe Nursery School. Hand in hand with their chaperoning servicemen and Junior Volunteers, the 5 and 6 year olds were taken aboard a working tugboat, through the Seabee Museum and the MARS radio station. At the "ham-shack", overseas stations were contacted and the youngsters spoke to men serving in Vietnam. Highlight of the three-hour tour was a box picnic lunch at the base park followed by songs and games. Also accompanying the group were Fr. Jose Madera and Sister Daniel Theresa, local directors of the Head Start project.

... At the **SAN FRANCISCO AIRPORT LOUNGE** local lists volunteer several hours each week to draw charcoal sketches of the men which they send back home. The USO provides mailing tubes for the sketches which are mailed from the Lounge.

... Thirty little girls from St. Elizabeth's Orphanage were "adopted" for an afternoon of songs, games and a dinner on Father's Day by the servicemen at the **TAN SON NHUT CLUB**. The men so enjoyed the children that many of them are now spending all their free time helping at the orphanage.

Junior Hostesses at the Rantoul, Illinois, **USO Club** launch United Fund Drive by dropping contributions into specially designed barrel. The girls are, from left, Joyce Burgin, Linda Wobbe, and Pat Zeigler.



USO Volunteer in United Way Campaigns

USO builds morale among servicemen around the world. USO builds morale locally by aiding United Way Campaign Committees. The skills and abilities of every member of the USO family—the Council officers and members, the USO volunteer and staff—will be welcomed and can be utilized by United Way leaders.

Community leaders who operate the United Way Campaigns point with pride to the fact that the leaders of agencies which benefit from the big drive are working side by side with other citizens to reach the current goal. The United Way Campaign is a once a year shot. Everybody knows about it and nearly every responsible American expects to give to it. How much he gives is up to the knowledgeable solicitor who reaches him. USO leaders are part of the knowledgeable group representing voluntarism who can convey the larger need for increased giving this year.

Just how can the USO volunteer help in the United Way Campaign? First of all, there is the door-to-door solicitor. Volunteer to canvass the street or area near your home. If you have the time and know the job, volunteer to take on one of the larger assignments in the campaign. There is a United Way Campaign job for every USO volunteer:

- Serve as a member of a divisional team or speakers bureau; assist with the orientation and training of campaign workers.

- Perform clerical duties at campaign headquarters, type, file, pack and sort supplies; deliver campaign supplies to headquarters, campaign leaders about town; pick up and deliver reports; help with transportation of posters and displays.

- Prepare and serve luncheons and dinners for fund and report meetings and serve refreshments at rallies and special events.

- USO Junior volunteers and servicemen can play an important part in the success of the United Way Campaign. Their participation is most helpful in interpreting the value of the USO program; it provides them the opportunity for significant community involvement; and helps to build future leadership for volunteer organizations.

- The United Way Campaign is the largest of the volunteer efforts in the USA. Be part of this good citizen's team in insuring the success of the campaign for **SOMEONE YOU KNOW NEEDS USO.**

PERSONALITIES

... **PAT KRAUSE**, Director of Public Information, USO Vietnam, was featured in the July **COSMOPOLITAN** Magazine story, "Could You Work In Vietnam?" ... **EARL J. WATT**, Executive Director, Paris, assumes position as Executive Director of the new USO Club in Malta, November 1 ... **MRS. MARIANA GATES**, Associate Executive Director in Paris, will become Executive Director of the Paris Club November 1.



At ceremonies officially opening the new USO Lounge at Pieta, Malta, Commander of the U.S. Sixth Fleet, Vice Admiral William Martin, presents plaque to USO Club Director Michael Menster "In Grateful Recognition Of Extraordinary And Enduring Service To All Who Sail In The United States Sixth Fleet." In background is American Ambassador George J. Feldman, Malta USO Council President, who also officiated at the formal opening. Mr. Menster is the Executive Director of the USO in Naples and was the acting director in Malta pending the assignment of a permanent director. Mr. Earl Watt, Executive Director of the Paris, France, USO has accepted the position of Executive Director in Malta effective November 1, 1967.

Boston Businessman Boosts Viet Morale

The morale of our troops has become the concern of an interested group and a single individual, as evidenced by the program recently initiated by a Boston Veterans organization and conducted by Boston businessman Hyman J. Rosenberg.

The interesting program began when a Jewish War Veterans Post in the Boston area learned of the need for musical tapes for military personnel in Vietnam. After contacting the Boston USO Club and being furnished with addresses of all USO facilities in Vietnam, the group then approached Mr. Rosenberg whose hobby has been transferring musical arrangements to tape.

From a small beginning, Mr. Rosenberg's hobby has turned into a full-time effort supplying tapes to USO clubs anywhere, to small military units, and even to individuals. An appeal received at the Boston USO from a mother who described the long, lonely hours her son spent on a navy ship, prompted a telephone call to Mr. Rosenberg who had tapes en route in short order.

A generous contributor to charitable and worthwhile causes, Mr. Rosenberg feels, however, that for the first time he personally can see the final results of his endeavors.

Mr. Rosenberg plans to continue his program, supplying tapes to overseas units and clubs as long as the need exists. Answering all requests, he makes single track and stereo, symphonic, pop or jazz.

Sept. 25 To Be USO Night At Yankee-Tiger Game

It will be "USO Night at Yankee Stadium" on Sept. 25 when the Bronx-USO Committee will promote the sale of special reserved and box seat tickets for the New York Yankee-Detroit Tigers game scheduled for that night. USO of New York City has announced. Proceeds from the event will be used to provide expanded USO global services for men and women of the Armed Forces, including Vietnam.

The committee, headed by Joseph F. Callo, Sr., board chairman of Callo & Carroll, Inc., advertising agency, will consist of 100 prominent New York City business and professional men. Mickey Mantle and Whitey Ford will serve as honorary chairmen, and Jerry Coleman, Phil Rizzuto and Joe Garagiola as honorary co-chairmen. C. William Borchers is general chairman of the Bronx-USO Committee.

The evening will also serve as a send-off for a number of major league players and representatives, including some Yankees, not yet named, who are expected to visit American servicemen in Vietnam and the Pacific at the close of the baseball season under the auspices of USO.



Mr. Lewis Tanner, Chairman of the Chanut Air Force Base 50th Anniversary Celebration, crowned Mrs. Lucy Jane Goff, USO Program Director, Rantoul, Illinois, as Chanut's 50th Anniversary queen at a dinner climaxing the week of anniversary events. Held at the Chanut AFB Fanmarker Officers' Club, the affair was attended by more than four hundred guests. Mrs. Goff was honored for twenty-four years of service to the Base and Community through USO.

"PRACTICAL" CHRISTMAS GIFTS FOR SERVICEMEN IN VIETNAM

What does a serviceman in Vietnam really want for Christmas?

A recent survey by the USO disclosed that items high on their "want" list include shaving equipment, foot spray, shampoo in plastic bottles, penlights, insect repellent, small jigsaw puzzles, first aid kits, key chains and keycases, ballpoint pens, writing materials, medicated cleansing cream, small face towels, miniature sewing kits, large work handkerchiefs, hard candy in tins, and paperback books. Small three inch recording tapes, medical scrub brushes, foam insoles for combat boots, heavy work socks, one inch paint brushes, and small crossword puzzle books are also popular.

Last year, in addition to those gifts received directly by individual servicemen from relatives and friends, hundreds of gifts were received by USO Clubs in Vietnam and distributed to servicemen visitors, to hospitals, and by airlift to remote units. Monetary contributions to USO from generous Americans everywhere made possible Christmas Day programs in Vietnam USO clubs which featured entertainment and free home cooked dinners with all the traditional trimmings. With the increase in troop strength in recent months, USO staff members are already busily making plans for Christmas 1967 in the hope that this year's observance will be bigger and better than ever to help ease the loneliness of servicemen everywhere in Vietnam, many of whom are away from home for the first time.

United States postal authorities will no longer accept packages addressed to "A Serviceman in Vietnam." However, where donors desire that USO distribute gifts to "Any Serviceman in Vietnam," the USO advises that gift packages addressed to USO Club Directors at specific APO addresses, and bearing an outside label identifying the contents, are acceptable and will

USO CLUB ROTA CELEBRATES FIRST ANNIVERSARY

The USO Club at Rota, Spain, marked its first anniversary on July 13 with an Open House attended by Rota's Mayor Antonio Mana; Rear Admiral Manuel Gonzalez, Commander of the Rota Naval Base; and representatives from all the commands on the Naval Station.

Captain James S. Elkins, Jr., CNA Spain/CO NavSta, who is also president of the Rota USO Council, presented Club Director Pat Pangallo with a Charter from USO's National Headquarters in New York.

In presenting the Charter, Captain Elkins said, "It's really a satisfying and pleasing experience to be here to celebrate the first anniversary of the USO in Rota. Many of you who haven't been here long don't know of the struggles that have gone into the achievement of having this fine USO. It took many years of planning, working and hoping. To see this building and what has been made of it is really great."

Admiral Gonzalez also spoke briefly and related that he was pleased that the club was in Rota because it indicated that the U. S. Navy would be there for many years to come.

Mr. Pangallo was interviewed by AFRS and said that during the first year at the USO, renovations had been made throughout the club's facilities.

Since first opening its doors in July of last year, the club has catered not only to single enlisted men on liberty, but also to activities on the base. Many organizations such as wives' clubs hold their meetings regularly at the USO, and the club has become extremely popular with such groups.

be distributed by USO staff during the holidays. Donors pay postage from their hometowns to the APO in San Francisco, and surface mail parcels should be mailed by October 1st to insure delivery in Vietnam by Christmas.

Miss America and Court Leave for Vietnam

Academy Award Winning actress Joan Crawford, a Vice President of USO of New York City, poses between Miss America, Jane Anne Murray (left), and chaperone Lucile Preuiti, as other American beauties stand behind them at Kennedy International Airport. Miss Crawford saw the girls off on their USO Shows-Pepsi-Cola sponsored tour to entertain servicemen in Vietnam. Standing are, (l. to r.), Sharon Mae Singstock of Wisconsin; Barbara Ann Harris, South Carolina; Carole Ann Gelish, Connecticut; Ellen Warren, Maine; and Angeline Grooms of Alabama.





USO shows

Number	Name	Place	Date	Duration
GA-337	"Miss America and her Court"	Vietnam	Aug. 14	17 days
GA-347	Jay Eilers	Vietnam Thailand and the Pacific Hospital Circuit	Aug. 17	5 weeks
GA-358	George Jessel	Europe	Aug. 20	20 days
GA-357	Joanna Moore	Vietnam and Thailand	Aug. 24	27 days
GA-264	"Cardinalines" Catholic University	Northeast	Aug. 25	4 weeks
GA-361	"Wilda Terrace Show"	Vietnam Thailand and the Pacific Hospital Circuit	Aug. 28	7 weeks
GA-354	Roberto Darran and Los Elegantes	Vietnam and Thailand	Sept. 3	28 days
GA-301	"Arkansas College Lassies"	Caribbean	Sept. 4	4 weeks
GA-359	Charlton Heston	Vietnam	Sept. 8	15 days
GA-300	"Brigadoon" University of Denver	Europe	Sept. 8	8 weeks
1649	"Utah Showtime"	Alaska	Sept. 11	7 weeks
GA-365	Ina Ballin	Vietnam Thailand and the Pacific Hospital Circuit	Sept. 12	5 weeks
GA-382	"National Cartoonist Society" Mike Barry and McGowan Miller	Pacific Hospital Circuit	Sept. 15	17 days
GA-302	"On Stage Tonight" University of Wisconsin	Europe	Sept. 15	8 weeks
GA-384	"Six Penny Opera"	Vietnam Thailand and the Pacific Hospital Circuit	Sept. 15	6 weeks

Number	Name	Place	Date	Duration
GA-342	"Jonathan Winters Show"	Thailand and Vietnam	June 5	14 days
GA-280	"Lass-O-Choraliers" Texas Women's University	Europe	June 20	8 weeks
GA-351	Floyd Patterson	Vietnam	June 23	12 days
GA-281	"Verity Vagabonds" Dana College	Pacific	June 26	8 weeks
GA-348	"Mrs. Miller and the Good Guys"	Vietnam	July 6	17 days
GA-262	"A Funny Thing Happened on the Way to the Forum" Wayne State University	Pacific	July 7	7 weeks
GA-349	"Jack Costanzo Show" with Gerrie Woo	Vietnam and Thailand	July 13	25 days
GA-330	"Aloha from Hawaii"	Vietnam	July 15	14 days
GA-352	"The Frankie Fontaine Show"	Vietnam	July 16	17 days
GA-345	"Fred Thompson and the Ladybirds"	Vietnam and Thailand	July 21	24 days
1648	"Jamboree"	East and West Mediterranean	July 21	12 weeks
GA-353	"Louis and the Seven Days"	Caribbean	July 21	4 weeks
1650	"A Big Hello from Texas"	Pacific	July 24	7 weeks
1647	"America's Children" Folk Pop Group	Pacific	July 24	7 weeks
GA-344	Robert Stack	Vietnam	July 25	17 days
GA-346	"South Market Street Jazz Band"	Vietnam and Thailand	July 31	26 days
GA-335	"Youth Varieties"	Caribbean	Aug. 1	4 weeks
GA-350	Wendell Corey	Vietnam and Thailand	Aug. 1	25 days
GA-355	Bill Talman	Vietnam and Thailand	Aug. 4	27 days
GA-263	"Coffee House '67" Clarke College	Northeast	Aug. 4	4 weeks
GA-343	"Four in the Morning"	Vietnam and Thailand	Aug. 7	24 days
GA-380	Danny Kaye	Pacific Hospital Circuit	Aug. 8	15 days

The above includes listings of the stepped-up program of USO Shows which have toured overseas military bases since our last publication, June 1967.

USO

NEWS LETTER

Vol. 3, No. 5 September, 1967

UNITED SERVICE ORGANIZATIONS, INC.
237 East 52nd Street, N. Y., N. Y. 10022



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Mr. GRAY. I want to thank all of the subcommittee members for their kind attention in attending these hearings for 4 days. You have been very helpful.

With that, we will adjourn, and meet again on next Tuesday in executive session at 10 a.m. and, I hope, a full committee meeting on Thursday.

With that, I thank all of the public witnesses and again thank the members of the committee.

The meeting now stands adjourned.

(Whereupon, at 1:21 p.m., the public hearings were concluded.)

(The following was furnished for insertion:)

STATEMENT OF HON. JOHN J. FLYNT, JR., A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF GEORGIA

Mr. Chairman, as desirable as it may be to establish a National Visitor Center in our Nation's Capital, I suggest it must be considered in the context of the President's request for a surtax on individual and corporate income taxes in order to meet funding requirements of the Federal Government.

At a time when the Chief Executive considers an increase in the tax burden to be necessary, a new look must also be taken at the projects and programs which create increased demand for additional Federal funds. I believe it to be necessary to establish priorities among these demands for Federal funds and to weigh these priorities and the contents of the programs therein against the extent of the added burdens of taxation and the effects upon those who must assume these burdens.

In this context, the establishment of a National Visitor Center at this time does not, in my opinion, warrant the assignment of a priority high enough to recommend its approval.

For this reason, I am presently opposed to H.R. 12603. At another time and under other circumstances, I might conceivably feel very different about this proposed legislation.

STATEMENT OF HON. DONALD G. BROTZMAN, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF COLORADO

Mr. Chairman, I welcome this opportunity to present a statement on H.R. 12603, the National Visitor Center Act of 1967.

When notice of these hearings was first given, I immediately began to gather background information on this proposal, but unfortunately many questions remain unanswered—particularly fiscal questions. I hope these will be answered during or as a result of these hearings.

Mr. Chairman, each month I have dozens of visitors from Colorado in my office. Many of them often have some complaint about the lack of visitor facilities in the Nation's Capital. I decided to poll all of the visitors who have stopped at my office and who signed my guest book during this session of Congress in an effort to determine what experiences they had and what their opinion was on the ability of the Capitol Hill area to receive visitors. The response to the poll was overwhelming and did point to a definite need for improvements. The results of the poll are included at the end of this statement.

The poll points out a pressing need for improvements in parking and restaurant facilities in the Capitol Hill area. Most of my visitors believed that the available public transportation and guide services are adequate.

Many of those responding to my poll took the time to write additional comments and observations regarding the proposed National Visitor Center.

One constituent wrote:

"I feel the National Visitor Center is a tremendous idea. By receiving instructions on how to reach points of interest from such a center, and by having buses run directly to the tourist attractions, the visitor could avoid many hours which are wasted merely in searching for a way to get around in Washington."

Others expressing favorable comments on the proposed Center wrote as follows: "A National Visitor Center would, I believe, be an asset to planning one's visit to the Capitol area."

"I like the idea of a Center. We should do all necessary—on a pay-for-itself basis—to make a visit to Washington, D.C., a really meaningful experience for all Americans."

"I would hate to see Washington become extremely commercialized due to its great historical background. Yet, the crowds that do flock to Capitol Hill demand new measures. Be careful not to over-commercialize it!"

Not all of the comments were favorable:

"I feel that a large expenditure of money in Washington for the benefit of visitors is plain waste."

"I feel there are much more urgent and worthwhile projects for our Federal government to support."

"Do we really have to spend money on items like this (National Visitor Center). Spending has to stop somewhere and the above does not seem to me to be a necessity when compared to our other needs."

Mr. Chairman, like many of my constituents who responded to the poll, I do not question the need for such a Center. I support the general concept, and believe that it would go a long way toward improving Washington's tourist environment and suitability to receive visitors from around the world.

I also believe that the selection of Union Station for a visitor center is a wise choice. Union Station is one of the most beautiful buildings in Washington and is a fine example of classic architecture. It should be preserved.

My major concern—and one which was expressed by a number of my constituents—is one of economics.

Some of the gross statistics are on the table, particularly with regard to the conversion of Union Station. All of the changes, improvements and modifications will be made by the owners of Union Station, who would then lease the revised facilities to the government for just under \$3,000,000 per year. What would it cost to build an equivalent center from the ground up? Estimates run between \$25 million and \$50 million.

These statistics would seem to make Union Station something of a bargain. However, I would like to suggest that a complete fiscal analysis will have to prove this before I am ready to accept the Union Station proposal as it stands.

For example, it is contemplated that the 4,000 parking spaces provided by the center would bring in most of the revenues.

Statistics on income from other concessions and operating costs of the center are somewhat vague. If we can make a rather optimistic assumption that they will balance one another, this means that each parking space would have to earn \$2.06 per day the year around, or else the American taxpayers are going to be making up an annual deficit.

The concessions which will be included in the facility are subject to the agreement this bill authorizes the Secretary of the Department of the Interior to make with the owners of Union Station. The existence or scope of restaurant facilities are not now spelled out.

With so many matters up in the air and left to the discretion of the Secretary, it is hoped that the Committee will include in its bill certain terms which must be contained in the agreement with the owners of Union Station.

More information is needed on the financing of the Center, and specifically, on how much of the cost is to be provided by congressional appropriations.

Mr. Chairman, it is hoped that these hearings will provide that needed information. Otherwise, it is my feeling that it will be almost impossible to assess the consequences of favorable action on H.R. 12603.

RESULTS OF NATIONAL CAPITOL VISITORS POLL BY REPRESENTATIVE DON BROTZMAN, SECOND DISTRICT, COLORADO

	Adequate	Inadequate	No opinion
1. Parking facilities on Capitol Hill.....	18	77	21
2. Restaurants in the area.....	42	66	8
3. Public transportation (buses, cabs, etc.).....	82	20	14
4. Capitol guide service.....	43	20	53

List of persons responding to the poll

(All respondents are residents of Colorado unless otherwise indicated)

Jane Lyons, Lakewood
 Robert Pento, Denver
 Mr. & Mrs. Michael C. Trent, Boulder
 Bert Zimeringer, Denver
 Bob Balleweg, Beaulah
 Stan Bogue, Greeley
 William Wallace, Englewood
 Leon S. Stanton, Salida
 George Zoellner, Aurora
 George D. Wolf, Boulder
 Robert C. McAttee, Sterling
 Jon Cram, Lakewood
 Dr. & Mrs. Robert O'Dell, Aurora
 Chas. E. Brokaw, Lakewood
 Kenneth Mecher, Denver
 Craig R. Minear, Denver
 Mike William, Hudson
 Jeanne A. Farrar, Lamita, Calif.
 Mrs. J. B. Carter, Colorado Springs
 Grant Wilkins, Englewood
 Donald L. Preszler, Denver
 Sorin Jacobs, Boulder
 Kenneth Balemit, Glenwood Springs
 F. W. Reich, Boulder
 Mildred M. Carey, Lakewood
 M. L. Strub, Denver
 C. H. Starks, Keenesburg
 Bill Hiner, Denver
 Carl Gustafson, Denver
 J. F. Kelly, Denver
 JoAnn C. Baird, Boulder
 Pete Pleasant, Craig
 John T. Stephens, Longmont
 Lelyn L. Bryan, Ault
 Mrs. Margaret Guccini, Lamar
 Dr. Richard M. Nelson, Denver
 Clotilda Jones, Boulder
 Vicki Lowe, Arvada
 Rocco Gioso, Wheat Ridge
 Anton Zafereo, Colorado Springs
 Mr. & Mrs. Richard Rieck, Boulder
 John S. Horn, Denver
 Stan Swanson, Aurora
 Charles McLaw, Lakewood
 Chet Davidson, Denver
 Joan E. Light, Boulder
 Clair Toone, Salt Lake City, Utah
 C. Leon Nasser, Denver
 Mr. & Mrs. Ben Woodward, Boulder
 Mrs. John R. Little, Boulder
 Arnold E. Price, Longmont
 Mat Fennerger, Arvada
 Wayne McNeal, Kersey
 Ila D. MacPhail, Golden
 Charles L. Thomson, Pueblo
 Chas. J. Roubique, Boulder
 R. D. Taylor, Security
 Herman W. Volz, Sterling

David Cole, Littleton
 Nancy Looney, Boulder
 Guy A. Hollenbeck, Boulder
 Ken Bueche, Arvada
 Constance Brown, Santa Maria, Calif.
 R. D. Barnard, Littleton
 Jann Moyers, Denver
 Boyce Anderson, Denver
 Joseph A. Armlerust,
 Belfield, N. Dak.
 Donald D. Thomas, Colorado Springs
 Steve Arnold, Monument
 Wendall Fritz, Sioux Falls, S. Dak.
 Fred G. Jager, Littleton
 William K. English, Littleton
 George V. Whitfield, Littleton
 Grant V. Wickard, Denver
 John A. Thiel, Denver
 A. B. Loden, Littleton
 Mrs. John Butts, Denver
 Oren & Iris Bidwell, Denver
 G. G. Peterson, Englewood
 R. W. Woodard, Wheat Ridge
 Mr. & Mrs. Edwin Watson, Littleton
 Norman S. Knudsen, Buena Vista
 Cliff Johnson, Longmont
 William S. Livingston, Lakewood
 Nelson Aldrich, Salt Lake City, Utah
 Ray Wilson, Denver
 J. S. Nichols, Colorado Springs
 George E. Westerberg, Denver
 Bob Magnuson, Littleton
 E. Proctor Nold, Denver
 Lt. Col. J. G. McGrew, Denver
 Alfred C. Nelson, Denver
 Marion McElwain, Boulder
 Howard O. Ashton, Boulder
 Julius A. Tracy, Boulder
 E. B. Waggoner, Denver
 Mrs. George Schaefer, Littleton
 D. S. Nordwall, Denver
 Mr. & Mrs. C. A. McBride, Littleton
 Conrad Blomberg, Denver
 Robert J. Brown, Denver
 Bob Martin, Denver
 C. G. Kettering, Englewood
 Mr. & Mrs. Wendell J. Garwood, Denver
 Walter E. Mitchell, Denver
 Susan Skinner, Aurora
 L. A. Clark, Boulder
 E. F. Phipps, Ft. Collins
 Audrey Sandstead, Ft. Collins
 Mr. & Mrs. E. A. Fortier, Denver
 Byron L. Gillett, Aurora
 Lee E. Schlessman, Denver
 Stan Nikkel, Washington, D.C.
 C. R. Bacon, Denver
 Mark E. Reames, Denver

THE PAN AMERICAN LIAISON COMMITTEE
OF WOMEN'S ORGANIZATIONS, INC.,
Washington, D.C., August 28, 1967.

Congressman KENNETH GRAY,
Chairman, Subcommittee on Public Buildings and Grounds, House Committee of
Public Works, Washington, D.C.

DEAR CONGRESSMAN GRAY: I am directed by the President of PALCO, Inc., Mrs. Anita Sandelmann, to write you in support of a MERIDIAN HOUSE FOUNDATION Resolution fully supporting the creation of the National Visitors' Center, at Union Station or at any other central location which would provide reasonable access by the foreign visitor to the Capital and to Metropolitan Washington.

Mrs. Sandelmann, her Board of Directors, and the entire membership of PALCO supports this resolution and will do everything possible toward encouraging its implementation.

Yours sincerely,

BARBARA DE ZOUCHE PALMER,
First Vice-President.

MERIDIAN HOUSE FOUNDATION,
Washington, D.C., September 19, 1967.

Hon. KENNETH GRAY,
House of Representatives,
Washington, D.C.

DEAR MR. GRAY: Attached is a statement submitted for the record by the Meridian House Foundation in support of H.R. 12603 on the National Visitor Center. The Foundation believes that such a Center is essential in helping not only the millions of Americans who visit the Nation's Capital each year, but also several hundred thousand international visitors who come here to gain better understanding of Americans and of our National Government and how it operates.

We are particularly interested in seeing that the needs of visitors from abroad are given appropriate attention in the planning and development of the National Visitor Center. The Foundation, through the volunteer and professional staffs of the International Visitors Service Council of Greater Washington Organizations (IVIS), which it administers and finances, will welcome the opportunity to work with the United States Congress, the Department of the Interior, and any Committee, or Commissions, that may be established in connection with the National Visitor Center.

Mr. Gilbert B. Lessenco, one of the Foundation's Trustees, has agreed to serve as our liaison on this project. His address and telephone number are: Mr. Gilbert B. Lessenco, Wilner, Scheiner & Greeley, 1343 H Street, N. W., Washington, D.C., Telephone: 638-6900.

We look forward to working with your Committee and others on this important undertaking in the months ahead.

Sincerely yours,

PHILIP L. GORE,
President.

STATEMENT ON THE NATIONAL VISITOR CENTER, SUBMITTED BY PHILIP LARNER GORE, PRESIDENT OF THE MERIDIAN HOUSE FOUNDATION

The Meridian House Foundation, a private, non-profit corporation and the organizations associated with it, especially the International Visitors Service Council of Greater Washington Organizations (IVIS), are greatly interested in plans for the establishment of a National Visitor Center, since we provide many thousands of international visitors now coming to the Nation's Capital with a variety of services each year.

During the past year, IVIS received 1,045 requests for services to international visitors from member organizations, Government agencies, businesses, international visitors, local hosts, and international conferences. Through these requests,

7,657 visitors from 86 countries were served. Since IVIS channels international visitors to its 66 member organizations and serves as an information and referral center for them, the international visitors who benefit through services of member organizations would number many additional thousands throughout the year. A list of member organizations is attached. It should be pointed out that the thousands of Americans who make up the membership of these service organizations come from nearly every segment of our society and can provide broad community support for an outstanding project like the National Visitor Center.

While requests received by the IVIS office for information and home hospitality are numerous, more than half of them during the past year were for services involving language assistance. Bilingual staff members and a corps of volunteers offered assistance in thirty languages. Uses of the IVIS Language Bank vary from providing a non-English speaking visitor with an escort guide to furnishing language aid for international meetings. Because of its broad experience in working with foreign visitors as well as its Language Bank facilities, IVIS was called upon during the past year to assist on five major conferences on horticulture, social work, nephrology, electricity, and "Water for Peace."

The Foundation is convinced that this kind of citizen diplomacy can make an important difference in the impression our visitors from abroad take home with them of the United States, its citizens, and our way of life.

The fact should also be kept in mind that the millions of dollars spent here in the United States by our visitors from abroad have an important impact on this country's international trade balance. The U.S. Travel Service reports that during the past year more than a million visitors came to the United States from abroad—not including visitors from Canada and Mexico. Of these visitors from abroad, it is estimated that about one-quarter of them came to Washington. It should be pointed out, also, that foreign travel is on the upgrade, and each year shows a striking increase over the preceding one. Tourism has now become the third largest industry in the United States, and the U.S. Travel Service predicts that within the next 18 months, revenues from international tourism will pass the \$2 billion mark. These figures, of course, simply confirm the urgent necessity for a National Visitor Center in the Nation's Capital if we are to serve our visitors from abroad, as well as our own citizens, effectively.

We, therefore, heartily endorse the establishment of a National Visitor Center since we believe:

(1) There is a need for a central source of information about our Capital and our Nation. There is currently much information of this type, but it is scattered and often unavailable.

(2) There is a need for a reception center where the visitor can be welcomed. It is important that the visitor and his needs be recognized by the host city and Nation—whether it is American parents trying to give their children an educational opportunity, a family on holiday, a foreign businessman trying to promote trade, or a visitor interested in a place to stay.

(3) There is a need for introducing a visitor to our Nation's Capital and helping him to gain an appreciation of the Nation's heritage. It is our understanding that the National Visitor Center will have films and exhibits, lectures and displays about the history, the growth, and the development of the Nation's Capital, and the organization and operation of the Federal Government. This is extremely important since it will provide the visitor with the opportunity for a pleasant and informed tour, as well as an educational experience. This would complement the information offered by Congressmen to their constituents and would assist in giving visitors an understanding of our Governmental processes.

(4) There is a need for improved facilities for national and international conventions. A referral and information center staffed by experienced, multi-lingual assistants, which the National Visitor Center could provide, would attract more conferences.

As an expression of its support for the establishment of a National Visitor Center, the Board of Trustees of the Meridian House Foundation passed the following resolution:

Whereas, the Meridian House Foundation is a non-profit organization active in and dedicated to effective provision of services to sponsored and non-sponsored foreign visitors to the Greater Washington area; and

Whereas, the Meridian House Foundation has read with interest the proposal of the National Visitor Center Commission Site Selection Committee for the creation of a National Visitor Center at Union Station; and

Whereas, the Meridian House Foundation is vitally interested in seeing that adequate provision is made at the Visitor Center for the thousands of visitors from abroad who come to our Capital each year;

Now, therefore, be it resolved that the Foundation expresses its strong support for a Visitor Center and for adequate space, facilities and staff to give the visitors assistance through referral to organizations and others in obtaining specialized information and communication with American business, the professions, and the arts; and

Be it further resolved that the Foundation, through its International Visitors Service Council of Greater Washington Organizations (IVIS), and its professional and volunteer staff and resources will be available to work with the Visitor Center in implementing the above stated goals and purposes.

In conclusion, we believe that the Foundation, through the International Visitors Service Council (IVIS), with its fine professional and volunteer staffs can be of assistance in planning for the National Visitor Center and in providing services to international visitors who would be received there. We shall look forward to working with appropriate Government officials on this project in the months ahead.

CAPITOL HILL SOUTHEAST CITIZENS ASSOCIATION, INC.,
Washington, D.C., September 20, 1967.

HON. KENNETH J. GRAY,

Chairman, Subcommittee on Public Works and Buildings and Grounds, House of Representatives, Washington, D.C.

DEAR MR. GRAY: Last spring the Capitol Hill Southeast Citizens Association voted in favor of placing a Visitors' Center in the Union Station.

Under your proposed bill, the Association agrees as to the amount to be spent by the railroads and also by the government.

The main concern of this organization is that the Union Station is included under the Model Cities plan. Model City is a fancy name for Low Cost Housing. Unless Union Station and up to H Street, N.E. can be gotten out of the Model City Plan, it means there is no safety on the streets guaranteed for the Union Station visitors. On the streets down to Massachusetts Avenue, N.E., the visitors can be attacked or robbed by residents of the Model City that includes Urban Renewal N.W. Project I, from North Capitol south to Mass. Avenue, N.E., to and from Stanton Park; east on Maryland Avenue, N.E. from Stanton Park.

Union Station whose northern boundaries from North Capitol to Mass. Avenue should be moved to H Street, N.E. in order to protect it so visitors can come and go from the Nation's Capital in safety.

Even with the change, the area south and west must be carefully policed to Pennsylvania Avenue, N.W. If you plan wisely, the section surrounding the Union Station will be protected.

Please include the above suggestions in order to bring security to such a large investment of money in the project.

The Capitol Hill Southeast Citizens Association sends this statement of endorsement for the Union Station instead of appearing before your Committee. The organization is vitally interested in the success of the plan and urges your Committee to adopt the suggestions. Such help to visitors is badly needed.

Sincerely yours,

ELIZABETH DRAPER, Secretary.

BUILDING AND CONSTRUCTION TRADES DEPARTMENT, AFL-CIO,
Washington, D.C., October 11, 1967.

HON. KENNETH J. GRAY,

Chairman, Subcommittee on Public Buildings and Grounds, Public Works Committee, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reference to H.R. 12770, (National Visitor Center Act of 1967). This bill provides for extensive alteration of the existing Union Station building and for considerable new construction, including parking facilities. In all instances, the bill specifies that the property is to be leased by the Federal Government for a period not to exceed 20 years.

The Department favors this legislation; however, the bill does not contain a provision for the payment of prevailing wages, as required under the Davis-Bacon Act on construction authorized by this legislation. Without such a provision, con-

tractors from outside the locality and in some cases, from outside the State would be free to bid on such jobs and undercut the prevailing wage and living standards in the community.

It should be clearly understood that the inclusion of prevailing wage provisions as provided for in the Davis-Bacon Act on Federally-assisted projects does not increase the wage rates in a community. The Davis-Bacon provisions are designed purely to protect local contractors and building tradesmen in the area from the incursions and underbidding of outside contractors. Thus, the Act is designed to prevent such undercutting of community living standards by requiring contractors to pay workers on Federally-aided projects as much as the prevailing wage rates in the local community and place contractors on equal competitive terms.

The Department feels that the omission of the prevailing wage provisions of the Davis-Bacon, as amended, must be an oversight and strongly urges that this provision be incorporated in H.R. 12770. We feel that such a provision is definitely necessary so as to assure that such protection will apply to any agreement or lease entered into between the Federal Government and the Washington Terminal Company in carrying out the purposes of this bill.

Enclosed is a copy of a proposed provision. In our opinion, the language of this provision is necessary to assure that workers on all construction projects authorized under the provisions of this Act are paid the prevailing wages. We strongly urge that this provision be incorporated in the final version of this legislation.

With best wishes, I am,
Sincerely,

WALTER J. MASON,
Director of Legislation.

Labor standards

(a) All laborers and mechanics employed by contractors or subcontractors on projects assisted directly or indirectly under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended, (40 U.S.C. 276a-276a-5), and every such employee shall receive compensation at a rate not less than one and one half times his basic rate of pay for all hours worked in any work week in excess of eight hours in any work day or forty hours in the work week as the case may be. No federal aid provided for, under this Act, shall be approved unless there shall have been previously obtained adequate assurance that these labor standards will be maintained upon the construction work.

(b) The Secretary of Labor shall have, with respect to the labor standards specified in subsection (a), the authority and functions set forth in Reorganization Plan Number 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 1332-15) and section 2 of the Act of June 13, 1934, as amended, (48 Stat. 948; 40 U.S. 276c).

AMERICAN MOTORIST,
Washington, D.C., October 13, 1967.

Hon. KENNETH J. GRAY,
Chairman, Subcommittee on Public Buildings and Grounds, House Public Works Committee, Washington, D.C.

DEAR CONGRESSMAN GRAY: Enclosed is a proof sheet of an editorial which will appear in the November issue of the *American Motorist* Magazine, official publication of the D.C. Division of the American Automobile Association.

The D.S. Division, AAA, endorses House Bill 12823 concerning establishment of a National Visitors Center at Union Station. We would like to have the editorial included in the testimony in support of this legislation.

Sincerely yours,

GLENN T. LASHLEY, Editor.

[From the American Motorist magazine]

NATIONAL VISITOR CENTER

Relief is in sight for the poor harried tourist, hot and hungry, trapped in a traffic circle, unable to find a parking space, a hotel or the Smithsonian. The National Visitor Center Study Commission has issued its final report which causes one to wonder how the city has gotten along without the facilities now contemplated.

Under the study commission's recommendations, Union Station would be turned into an orientation and rest area, offering movies on where to go and why, historical exhibits, restaurants, visitor service, rest rooms, and a 3,000-car parking garage, train depot, bus ramp and heliport.

Actual renovation of the station at a cost of \$5 million and construction of new facilities at \$11 million would be paid by the railroads. The Federal Government would sign a 20-year lease to pay an annual rent of \$2.9 million.

When completed, Union Station could aid 50,000 persons a day. The Center would go a long way in making Washington the most desirable city in America to visit. The Nation's Capital has done far too little in the past to welcome its visitors and enable them to see the city with comfort. Experts estimate that the city's present volume of 15 million visitors a year will grow to 24 million by 1974.

Congress should promptly approve enabling legislation to allow this project to get under way and be completed by 1970.

WASHINGTON SIGHTSEEING TOURS,
Washington, D.C., October 18, 1967.

HON. KENNETH J. GRAY,
Chairman, Public Buildings and Grounds Subcommittee, Public Works Com-
mittee, House of Representatives, Washington, D.C.

DEAR CHAIRMAN GRAY: Washington Sightseeing Tours, Inc., is in favor of legislation to establish a National Visitor Center. However, it has recently come to our attention that Section 5 of H.R. 12603 may have a disastrous effect upon our sightseeing operations.

It was not until Chairman Avery of the Washington Metropolitan Area Transit Commission testified on October 11, 1967 that we realized Section 5 might be construed to grant the Secretary of Interior authority to contract for sightseeing services with a carrier who does not hold authority from the WMATC. In this regard we strongly support the position of the WMATC.

In addition we wish to register our opposition to Section 5 of H.R. 12603, because in our opinion it might be construed to give the Secretary of the Interior the power, in effect, to revoke the authority of all established sightseeing companies in the Washington area and to grant a monopoly in favor of one company. The Secretary would have the authority to appoint one company the exclusive carrier for the performance of sightseeing service to the most important points of interest in the city. Such service is the heart of the sightseeing business in the Washington Metropolitan area and the loss of such service would put many carriers out of business. At present numerous carriers perform sightseeing operations in Washington. If this section was so construed by the Secretary, the following carriers would be excluded from providing their present service by the grant of authority to one carrier by the Secretary:

- A B & W Transit Co.
- American Sightseeing Tours.
- Atwood's Transport Lines, Inc.
- Baltimore & Annapolis RR Co.
- Blue Line Sightseeing Co.
- Capitol Sightseeing Co.
- Columbia Sightseeing Co.
- Continental Trailways Bus System.
- D.C. Transit System Inc.
- Diamond Sightseeing Tours.
- Gold Line Service.
- History Tours.
- Holiday Tours, Inc.
- Gray Line Sightseeing Tours.
- Mayflower Limousine & Sightseeing Service.
- Orr's Limousine Service.
- W M A Transit Co.
- Washington Sightseeing Tours, Inc.
- Washington-Virginia & Maryland Coach Co.
- White House Sightseeing Tours.

We certainly hope that it is not the intent of Congress to destroy numerous carriers who have authority to provide sightseeing service, who have buses, and who have experience in the sightseeing business.

We respectfully request that Section 5 be deleted from the legislation to create a National Visitors Center.

Sincerely yours,

GEORGE L. KRAUSSÉ, *President.*

DOWNTOWN PROGRESS,
NATIONAL CAPITAL DOWNTOWN COMMITTEE, INC.,
Washington, D.C., September 13, 1967.

HON. GEORGE H. FALLON,
*Chairman, Committee on Public Works,
House of Representatives, Washington, D.C.*

DEAR MR. FALLON: Downtown Progress, the National Capital Downtown Committee, Inc., is pleased to express its enthusiastic support for H.R. 12603, the "National Visitor Center Act of 1967." Our Organization, formed by civic and business leaders in the Washington area, has had a strong interest in the subject of visitors to Washington since we began activities in 1960, and we have developed a great deal of useful information about visitors to the Nation's Capital and about facilities to meet the needs of visitors.

The "Visitor Study: Visitor Economic Support and Facilities for Downtown Washington, D.C." prepared under our direction by the Stanford Research Institute, and published in 1961, was the first comprehensive study ever undertaken of the volumes and characteristics of visitors to the Nation's Capital. It provided the background information necessary for estimating future visitor volumes, and for identifying facilities required to meet the needs of visitors. In 1963, we directed the preparation by Booz, Allen & Hamilton, Inc., of "A Planning Study for a National Visitor and Student Center in Washington, D.C.," which contained proposals for a program, and for the space requirements for a National Visitor and Student Center, and which suggested several possible locations, for such a center, based on objective locational criteria. For your information, we are enclosing copies of the highlights of each of these studies. We already have furnished to the National Visitor Center Study Commission copies of the full report by Booz, Allen & Hamilton, Inc.

In the preparation of the National Visitor and Student Center study, we were assisted by an advisory committee with representatives from the National Park Service, the United States Civil Service Commission, the United States Travel Service, and the Washington Convention and Visitors Bureau, and with observers from the National Capital Planning Commission. We met, as well, with representatives of a number of private organizations and public organizations interested in visitors to Washington, and the final report was benefited by this participation. In the reviews of the proposal that we have conducted with many groups since that time, we have encountered widespread interest and support for the concept of a National Visitor Center.

On the basis of our studies and our contacts with interested organizations and individuals, we believe that the provisions of H.R. 12603 will permit the development of a National Visitor Center that will make it possible for millions of visitors to derive more meaning and enjoyment from their trips to the Nation's Capital in the future.

If we can be of any service to you, please do not hesitate to call on us at any time.

Sincerely,

ROBERT C. BAKER, *President.*

HIGHLIGHTS OF THE "PLANNING STUDY FOR A NATIONAL VISITOR AND STUDENT CENTER IN WASHINGTON, D.C."

(Summary of a study prepared for Downtown Progress, the National Capital Downtown Committee, Inc., by Booz, Allen & Hamilton, Inc.)

Concept of the National Visitor and Student Center

The National Visitor and Student Center is proposed for Washington, D.C. to help meet the needs of the increasing millions of visitors and students who come to the Nation's Capital each year. On the basis of studies which have provided information about present and future visitor volumes and characteristics, and with the advice of government agencies and private organizations that now minister to the needs of visitors to Washington, the National Visitor and Student Center has been conceived as follows:

The Center would be a single building, with adjacent parking, designed and equipped to receive and orient visitors and students, to provide for their basic needs of comfort and convenience, and to assist them in moving expeditiously to other parts of the Nation's Capital, where interests generated by the programs in the Center would be satisfied in greater depth.

The orientation programs would cover three themes:

- I. History of the United States.
- II. Organization and operation of our Government.
- III. Development of the National's Capital.

These themes would be presented by means of films, exhibits, and other media.

Structure and Site Requirements

The Center would be designed to accommodate visitor volumes of 50,000 or more a day which would be achieved during the 1970's.

The size of a structure to house the theaters, exhibit space, and services for the expected attendance would be between 152,000 square feet and 200,000 square feet, with adjacent parking facilities to provide for an ultimate capacity of 4,000 automobiles. With multilevel construction a site of at least 7.5 acres would be required.

Proposed Locations

Two desirable locations for this Center, determined by detailed quantitative and qualitative analysis, would be:

1. At Massachusetts and New Jersey Avenues, adjacent to the proposed Center Leg Freeway;
2. Union Station.

Estimated Costs

The cost of a new structure and site for the National Visitor and Student Center is estimated at \$12 million.

The cost of the required parking structures and site is estimated at \$13 million. This cost could be amortized from parking revenues.

Thus, the total initial capital outlay required might be about \$25 million of which \$12 million would not be subject to amortization.

These costs would increase, of course, if special monumental architecture is specified, or if additional open land is desired around the Center.

Means of Accomplishment

The National Park Service would be an appropriate agency to assume responsibility for the establishment and the operation of the Center. Also, an Advisory Commission with members drawn from appropriate public agencies and private organizations should be appointed to provide policy guidance with respect to programs and operations.

Following consultation with members of the Congress and with interested public agency representatives, it is recommended that legislation be introduced to establish the National Visitor and Student Center. The legislation should provide for the necessary authorization and appropriations for the National Visitor and Student Center based on the concept developed in this report, and for the designation of the operating agency, the appointment of an Advisory Commission, site acquisition, and the design and construction of the Center.

HIGHLIGHTS OF THE "VISITOR STUDY: VISITOR ECONOMIC SUPPORT AND FACILITIES FOR DOWNTOWN WASHINGTON, D.C."¹

(A study prepared for Downtown Progress by Stanford Research Institute)

Coverage of the Study

1. Volume and characteristics of visitors to the Washington Metropolitan Area in 1960.
2. Expenditures of visitors in the Washington Metropolitan Area and in Downtown in 1960.
3. Volume of visitors to the Washington Metropolitan Area in 1970 and in 1980.
4. Expenditures of visitors in the Washington Metropolitan Area and in Downtown in 1980.
5. Discussion of possible facilities for visitors to Washington.
6. Technical appendices: Techniques for estimating and projecting visitor volumes and expenditures.

Selected Findings and Forecasts

Data are presented on number of visitors, purpose of trip, mode of travel, season of trip, length of stay, type of lodging, number in party, place of origin, and expenditures in the Washington area and in Downtown, from which the following significant findings and forecasts have been selected:

1960 findings

Volume.—15.4 million people from outside of the Washington Metropolitan Area visited the Washington area in 1960. Of this total, 5.6 million stayed one night or more and 9.8 million stopped for at least four hours but did not stay overnight.

Purpose.—Of the 15.4 million total, 42.9% came for pleasure, 30.0% for business, 20.5% combined business and pleasure, 2.4% for conventions, and 4.2% in groups, mostly students.

Mode.—Of the 15.4 million visitors, 75.4% came by automobile, 8.1% by air, 7.2% by rail, 5.1% by scheduled bus, and 4.2% in chartered buses. Of the 5.6 million overnight visitors, 64% came by automobile; of the 9.8 million less-than-one-day visitors, 82% came by automobile.

Season.—The seasonal variation showed 29.7% in the spring, 31.4% in the summer, 20.8% in the fall, and 18.1% in the winter.

Origin.—As for place of origin, 65.9% came from the area within 250 miles of Washington, 14.4% from the 250 to 499 mile ring, 12.7% from the 500 to 999 mile ring, and 7.0% came from more than 1,000 miles away.

Lodging.—Of the 5.6 million overnight visitors, 68% stayed in hotels, motels and rooming houses and 32% stayed with friends and relatives. Of those who stayed in commercial lodging places, 20.2%, or 773,810 visitors, stayed in Downtown. Downtown contained 5,320 visitor rooms in 1960, 23.7% of the total of 22,477 "acceptable" visitor rooms in the Washington Metropolitan Area.

1970 and 1980 visitor volumes

In 1970, 24.0 million visitors will come to the Washington area. Of these, 8.8 million will stay one night or more and 15.2 million will stay for less than 1 day.

In 1980, 35.0 million visitors will come to the Washington area. Of these, 13.0 million will stay one night or more and 22.0 million will stay for less than a day.

¹ Downtown is bounded generally by Pennsylvania Avenue, 15th Street, M Street, and North Capitol Street, Northwest.

1960 visitor expenditures

The expenditures of visitors in the Washington Metropolitan Area in 1960 was estimated as follows:

	Million	Percent
Lodging.....	\$77.2	23.5
Food.....	106.2	32.3
Transportation.....	38.2	11.6
Entertainment.....	20.9	6.4
Sightseeing.....	23.6	7.2
Retail.....	50.1	15.2
Service.....	12.5	3.8
Total.....	328.7	100.0

	Amount (million)	Percent
Lodging.....	\$13.2	17.1
Food.....	33.5	30.6
Retail.....	20.7	40.0
Service.....	2.3	18.4
Total.....	69.7	21.2

1 21.2 percent of total visitor expenditures in the Washington metropolitan area.

Visitors who stayed at least one night in the area spent an average of \$15.13 per person per day.

Visitors who stopped but did not stay overnight spent an average of \$4.86 per person per day.

The average expenditure for all visitors was \$11.59 per person per day.

1980 visitor expenditures

Visitors to the Washington Metropolitan Area in 1980 will spend \$842 million compared with \$329 million in 1960, distributed as follows:

	Millions
Lodging.....	\$197
Food and drink.....	271
Retail.....	127
Services.....	31
Other.....	216
Total.....	842

If Downtown maintains the same share of total expenditures in 1980 as it had in 1960, visitor expenditures in Downtown will distributed as follows:

	Millions
Lodging.....	\$32.7
Food and drink.....	83.1
Retail.....	51.5
Services.....	5.7
Total.....	173.0

This does not include expenditures for transportation, entertainment, and sightseeing.

Facilities for Visitors

A wide variety of facilities for visitors which might be located Downtown were considered, and thirteen facilities were evaluated on the basis of criteria which included: the ability to attract visitors to the area, construction costs, expenditures generated per dollar of cost, dependence on public financing, competition with facilities in other parts of the Metropolitan Area, land requirements, and compatibility with the image of Washington.

The facilities evaluated were: Visitor Center, Downtown Hotels and Motor Hotels, Student Center, Sports Arena and Exhibit Hall, Theme Park, Bowling Alley, Trade Center, Merchandise Mart, Public Ice Rink, Amusement Park, Convention Hall, Science Center, Cultural Center.

Of these, the three considered most appropriate for early location in Downtown are the Visitor Center, additional Hotels and Motor Hotels, and a Student Center.

Visitor Center and Student Center

Using the 1960 visitor volume estimates as a base, it was estimated that the Visitor Center would have served 1.8 million visitors and the Student Center would have served 400,000 visitors of the total of 15.4 million people who visited the Metropolitan Area in 1960. As the volume of visitors to Washington continues to increase, the potential attendance for these proposed facilities will increase.

Downtown hotels and motor hotels

The extent of development of new hotels and motor hotels in Downtown will depend upon the interest of developers and the attractiveness of the Downtown environment for these facilities. If Downtown continues to maintain the same share of the Metropolitan Area supply of hotel and motor hotel rooms that it had in 1960, there will be 5,900 rooms for visitors added to the Downtown supply by 1980.

Other facilities

A new large Convention Hall would attract to Washington 20,000 to 30,000 convention visitors a year who do not now come to Washington because of the lack of a large meeting place.

NOTE.—A Theme Park would not be a good prospect for location within Downtown because of excessive land requirements, some 75 to 90 acres.
(The other facilities would serve the local population to a large extent and would serve visitors to a lesser extent.)

