

Dr. HADDON. It might well be rewarding, but I think we should give our priorities to the problem we have in the "here and now," since there are a number of areas in which we think we can reduce the totals.

Mr. CLEVELAND. I have one other question. Mr. Bridwell may answer this. Tuesday I inquired of one of the witnesses from your Department, I believe, or—correction, I inquired from one of the witnesses from AASHO—whether or not, in view of the evidence that we are hearing, that there are some obstacles just off the right-of-way that are contributing to the fatalities, and many of these being on the Interstate System, whether these corrections could be made at the 90-10 participation cost ratio of the Federal Government; and I was informed by that panel, at least, that this could be done.

Is that your understanding? Were they correct? Will your Department or will the Bureau pay for correcting these deficiencies on the Interstate at the 90-10 figure?

Mr. BRIDWELL. The answer to the question is "Yes." If I may, I would like to supplement it—

Mr. CLEVELAND. Before you supplement it, let me go on, because I call your attention to the fact that the Comptroller General in 1961 ruled as follows: "An Interstate highway once improved, Interstate Systems standards with the aid of Federal Interstate funds, is not eligible for reconstruction with Federal Interstate funds."

That, as I say, was the 1961 ruling, and, to my knowledge, it is unchanged. You may comment.

Mr. BRIDWELL. Yes, sir. I do not think there is anything inconsistent here. I would like Mr. Turner to address himself to that because he is much more familiar with that GAO ruling in 1961.

Mr. TURNER. The point you are making, Mr. Cleveland, is what I was referring to on page 10 with respect to the new authority that we granted to the States. And as Mr. Bridwell indicated, the answer on whether or not we can use 90-10 funds for correction of these things is yes.

The Comptroller General's ruling that you are referring to had to do with the question of whether or not we could rebuild a piece of flood-damaged Interstate road. It was reconstruction of the road to the same standard, exactly as it had existed prior to the damage.

What we are talking about here is actually additional work of a higher standard. It is not reconstruction. It is, rather, new items that were not included in the original design, but had they been included we would have approved. Or it is revamping and upgrading of items to a new standard different from that which previously existed.

Mr. CLEVELAND. Have you asked GAO whether or not this ruling, which seems rather clear to me, covers reconstruction of Interstate highways for reasons of safety?

Mr. TURNER. We have not asked them for an opinion. We had our own opinion, produced by our own legal counsel, that this was entirely acceptable.

Mr. CLEVELAND. Could we have a copy of your counsel's interpretation for the record?

Mr. Turner. We can produce that; yes, sir.