

ments, and that has to come from what the cities want themselves, not from the Department of Transportation or the Department of Housing and Urban Development.

Housing and Urban Development, under any set of circumstances, is not going to say to Mayor Lindsay, "You can't have any streets in New York." Nor is the Department of Transportation. It is a welling up rather than a trickling down as to what kind of a transportation system you have, whether it be New York or Dallas or Des Moines, Iowa.

Mr. ROSENTHAL. Sometimes the city finds it easier to get money for one mode of transportation than another. You have an impact on their decision because you are going to put up the money, and the fellow who puts up the money is the one who counts.

Mr. BOYD. Here you get to an altogether different proposition because you gentlemen in the Congress established the highway trust fund and you have established the method of allocation of those funds.

The Secretary of Transportation signs a statement every quarter releasing funds based on a statutory allocation. This gets back to what I said earlier. The problem is money.

Mr. EDWARDS. Will the gentleman yield?

Mr. ROSENTHAL. Just 1 second.

Again I think it is money plus commitment. That is the big distinction between us.

Mr. EDWARDS. Does the statute authorize you to withhold those highway funds?

Mr. BOYD. We have legal authority to do that, Congressman. I am not sure it is in the statute, but I have an opinion from the Attorney General I would be glad to submit to you.

Mr. EDWARDS. Is that Mr. Clark you are talking about?

Mr. BOYD. Well, the Attorney General is really an official. I don't recall whether it is Mr. Clark or his predecessor.

Mr. EDWARDS. I would like to see it.

Mr. BOYD. All right, sir, we will get you a copy.

Mr. ROSENTHAL. Thank you, Mr. Chairman.

Mr. BLATNIK. Mr. Erlenborn.

Mr. ERLBORN. I think we have pretty well exhausted that area, but just to recap, if the city of Chicago decides that they want to extend the Chicago Transit Authority's rail system out to O'Hare Field, for instance, they make an application. Would they make that application to HUD or to DOT?

Mr. WOOD. Under the operation of the plan, as I understand it, Mr. Congressmen, they would make it to DOT. The review and evaluation process as to whether or not that extension could be presently assisted would turn on, first, the existence within the Chicago area of an adequate transportation plan that had been certified by HUD to have an effective relationship with the general area plan, and, secondly, in a project of that size and of that impact, a review of that particular project by HUD with advice to the Secretary of Transportation as to our recommendations as to its effect.

Mr. ERLBORN. Let us suppose the city of Chicago has not done the job of overall urban planning that HUD thinks they should have, would HUD then have veto power over this application for assistance for the extension of a rail line?