

ment and private industry for development of a quieter jet engine to the end that noise may be reduced at its source.

(2) We require a revitalized program of airport management and operations which will add new emphasis to the problem of the reduction of jet noise over densely populated areas. Careful consideration should be given to the diversion of non-commercial passenger flights to general aviation airfields.

(3) We need a study of existing runways and consideration of the feasibility of constructing new runways to redirect takeoffs and landings with the least disturbance to residents in flight paths.

(4) We need programs to encourage local governments to acquire undeveloped land adjacent to existing or planned airports to create buffer zones and to prevent the construction of new housing near airports until we win the war against jet noise.

(5) We must begin with legislation authorizing the Secretary of Transportation to issue noise standards and regulations and to enforce these standards and regulations by revocation of flight certificates.

Mr. Chairman, H.R. 3400 is only a first step in the federal effort to bring some relief to those who live near the Nation's airfields. It is a necessary and basic step forward in the fight against jet noise.

During July and August of this year I had an exchange of correspondence with Secretary of Transportation Alan S. Boyd concerning his authority to establish noise abatement standards. I have attached to my testimony as exhibit A, a copy of this exchange which was included in my August 18th statement in the Congressional Record (page A4216) entitled "End Delay on Noise Abatement Legislation", as a part of the record of these hearings.

Section 307 of the Federal Aviation Act of 1958 provides the authority to limit the use of airspace *"for the protection of persons and property on the ground"*. In response to my letter urging the issuance of administrative regulations incorporating the provisions of H.R. 3400, Secretary Boyd states:

"In the event, however, that Congress does not grant certification authority for noise abatement purposes, the Department of Transportation can establish operating rules under section 307 of the Federal Aviation Act of 1958. Although I feel that such action is a poor substitute for certification authority because it does not include many of the incentives for quiet operation which can be built into certification rules, the Department of Transportation will take whatever action is possible and practicable within existing authority and technology."

Mr. Chairman, today the Secretary of Transportation can only issue noise operating rules under section 307 of the Federal Aviation Act of 1958, while under H.R. 3400 authority is given to certify aircraft for noise abatement purposes. I urge that the Congress grant certification authority to the Secretary of Transportation.

Mr. Chairman, the era of sonic boom has arrived—and we have not yet been able to solve the problem of sub-sonic jet aircraft noise. It is getting late—if not too late already. We must accelerate our efforts at both the administrative and legislative levels if we are to succeed in ridding the atmosphere of the annoying pollutant of jet noise.

The President of the United States has recognized jet aircraft noise as a national problem. I am proud of the part I played in bringing this about. Recently the federal courts held that a noise abatement ordinance of the Town of Hempstead, New York, was unconstitutional. In its decision the court stated that noise abatement was a federal responsibility.

We in the Congress must meet our responsibility. The time for action—is now. This Congress has authorized the establishment of auto safety standards. This Congress must also authorize the establishment of aircraft noise standards.

We have heard much discussion about research by the National Aeronautics and Space Administration and by private industry to develop a "quiet engine." The Secretary of Transportation has taken the position that under present law, even if a "quiet engine" were developed, its use by the airlines would be voluntary. The legislation before this Subcommittee would provide the necessary authority to the Secretary—if in fact a quiet engine is developed—to refuse to certify aircraft not equipped with the new and quieter engine when available. Only in this way can we be certain that our research dollars will have been well spent. Only in that way will we be able to bring relief to our citizens, who are looking to us for help.

Mr. Chairman, a recent incident here in Washington is worthy of being mentioned. Secretary of the Interior Stewart L. Udall, a frequent and outspoken