

The President and the Secretary of Transportation have asked for this additional authority and I think we are only nibbling at the outside edges of this problem if we don't pass this bill and centralize this authority for noise abatement.

I would have two suggestions, however, on H.R. 3400. When appeals are made to the National Transportation Safety Board, the Board must understand that it cannot ignore noise factors and only consider safety factors. Naturally, we want aircraft and their operations to be both safe and as noise free as possible. I just want to make sure that whatever wording is used in that paragraph clearly provides for both.

The other suggestion I would have would be that representation on the National Transportation Safety Board should include one or more persons who are from the general public who are exposed to the noise problem. I think this would ensure a healthy awareness of the noise aspect during the Board's consideration of these questions.

Federal financial assistance needed too

Besides the regulatory control provided in H.R. 3400, I think it is advisable for us to move now to start programs of federal sharing of the costs of noise control with airports and airlines in order to hasten the noise control program. H.R. 6819, which I have introduced as H.R. 13846 does this.

Of course the federal government is spending substantial sums now on tackling the jet noise problem but additional programs are needed. I have had a long discussion with officials of the National Aeronautics and Space Administration on this question. The NASA has a short-range retrofit program that will incorporate sound absorption techniques into engine nacelles. This could give a six decibel noise reduction. They expect the technology to be ready late in 1968. The NASA long-range retrofit program aims at quieting the engines an additional 9 decibels with technology ready late in 1969. Finally, the "Quiet Engine" program would try to design an entirely new engine that would be 5 decibels quieter still, for a 20 decibel reduction from present noise levels. It has a 1971 and 1972 time goal.

In addition, the Federal Aviation Administration and the Housing and Urban Development Department are making various studies and investigations that will be helpful.

Cities and local airports can take some action such as buying neighboring land and zoning for compatible uses. In Minnesota the State Department of Aeronautics has established land use zoning standards for airports. These restrict certain uses in areas where hazard or noise would be a problem. In addition, land is being bought. The Minneapolis-St. Paul Metropolitan Airports Commission is currently negotiating to buy some land near the airport on which it was feared that a high-rise apartment house might be placed.

All these programs are helpful as far as they go but a great deal more is still needed.

H.R. 13846 would establish an Office of Noise Control in the Office of the Surgeon General. It would be able to give grants to states for providing noise control programs and research into the cause and effects of noise and into new techniques of controlling, preventing and abating noise. In addition, grants would be available for research and demonstration projects by public or non-profit private agencies.

Title II of the bill permits the Federal Aviation Administration to reimburse airlines for up to 30% of the cost of modifying aircraft to conform with federal noise regulations. The same 30% reimbursement would be permitted for airports making necessary changes. 90% reimbursement would be allowed for cities acquiring land near the airport or along flight lines in an effort to reduce the effect of noise.

I believe these would be progressive steps by the federal government in sharing the cost and expediting action on noise abatement near airports.

The justification for the financial responsibility of the federal government for noise control has been analysed in a recent article in the Minnesota Law Review of May 1967 at pages 1104 and 1105. The author raises these points:

1. "The private homeowner who loses up to 55% of his property value is least able to bear the cost."

2. " * * * the American courts have not imposed the burden of damages upon the commercial airlines whose aircraft produce the noise. This approach is clearly justified, since the airlines are not at liberty to select airport sites, approaches, or flight paths: commercial aircraft are certified and controlled in their landing and takeoff maneuvers by the Federal Aviation Agency."