

I think it is fair to state, gentlemen, that we agree with a number of the statements which have been made here this morning and earlier that this is probably not the ultimate word in legislation on noise abatement. But it is a building block and it seems to us that H.R. 3400 is the kind of block we ought to put in place to see where we go next. There is just no point in trying to legislate for something that we truly don't understand completely at this stage of the game.

I would urge its immediate approval by this distinguished subcommittee so that it may be acted on by the full committee and the House of Representatives.

Thank you, Mr. Chairman.

Mr. FRIEDEL. Thank you, Mr. Secretary.

If the committee were to adopt H.R. 3400, can you tell us how much it would cost the Department of Transportation to administer?

Secretary BOYD. I will have to provide that for the record. We don't have definite figures, but I can prepare you, I think, a fairly educated judgment on what it would cost on an annual basis, which is what I presume you would want.

Mr. FRIEDEL. We would appreciate it.

Secretary BOYD. Yes, sir. We will do that for the record.

(The information requested follows:)

DEPARTMENT OF TRANSPORTATION STATEMENT ON ESTIMATED COST OF ADMINISTERING AIRCRAFT NOISE CERTIFICATION PROGRAM UNDER H.R. 3400

Under the proposed certification concept, the cost would be very low since the only activity required would be an assessment of the safety of operational procedures recommended by aircraft manufacturers (which is done anyway) and a review of noise data submitted by the manufacturer. We estimate that approximately 120 man-hours per aircraft (approximately \$2,000) would be involved in assuring compliance with noise certification rules for any new aircraft so certificated. This one-time noise certification cost is only a very small fraction of the cost of alternative approaches, such as establishing noise limits through operating rules, since this approach would involve continuously operated noise monitoring systems at jet airports throughout the country.

Mr. FRIEDEL. Would you or your counsel comment on whether the Federal Government will be exposed to liability arising from noise abatements?

Secretary BOYD. I would like to ask Mr. Robson, our General Counsel, to comment on that. I wouldn't want him to come up here without having a chance to speak.

Mr. ROBSON. Our feeling is, Mr. Chairman, that the passage of this bill would not expose the Federal Government to liability for noise takings such as some of the local communities have been responsible for. There were some Supreme Court cases.

Mr. FRIEDEL. Are you making any progress on the sonic boom that you know of?

Secretary BOYD. At the moment I would say that we have made no progress since the final specifications on the prototype of the SST were developed. There is a considerable amount of work going on and we are hopeful that it may be possible through changes in power, changes in design, to shift the sonic boom effects to some extent, but at the moment I can't give you anything that is concrete.

Mr. FRIEDEL. But it is a problem which you are faced with and are working on?

Secretary BOYD. Yes, sir. We sure are.