

REORGANIZATION PLAN NO. 2 OF 1968 (URBAN MASS TRANSPORTATION)

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HEARING BEFORE A SUBCOMMITTEE OF THE COMMITTEE ON GOVERNMENT OPERATIONS HOUSE OF REPRESENTATIVES NINETIETH CONGRESS

SECOND SESSION

APRIL 22, 1968

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REORGANIZATION PLAN NO. 2 OF 1968

(Urban Mass Transportation)

MONDAY, APRIL 22, 1968

HOUSE OF REPRESENTATIVES,
EXECUTIVE AND LEGISLATIVE
REORGANIZATION SUBCOMMITTEE
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10 a.m. in room 2247, Rayburn House Office Building, Hon. John A. Blatnik (chairman of the subcommittee) presiding.

Present: Representatives John A. Blatnik, Henry S. Reuss, Benjamin S. Rosenthal, John N. Erlenborn, and Jack Edwards.

Also present: Elmer W. Henderson, subcommittee counsel; James A. Lanigan, general counsel, Committee on Government Operations; and William H. Copenhaver, minority professional staff.

Mr. BLATNIK. The Subcommittee on Executive and Legislative Reorganization will please come to order.

We have hearings this morning to inform the subcommittee on the purposes and effects of President Johnson's Reorganization Plan No. 2 submitted to the Congress on February 26 and now pending for our consideration. Under the terms of the Reorganization Act of 1949, the plan will go into effect after 60 days unless a resolution of disapproval has been passed by either the House or the Senate. Thus far, no such resolution has been introduced. Allowing for the 10-day recess just concluded, plan No. 2 will become law on May 7. However, the plan itself contains a provision that it will not become operative until the close of June 30—apparently to allow time to make the necessary adjustments.

In essence, the plan will transfer the urban mass transit program from the Department of Housing and Urban Development to the Department of Transportation. The Secretary of Housing and Urban Development will, however, continue to make grants and undertake projects in areas where urban mass transportation is related to comprehensively planned urban development. The plan establishes an Urban Mass Transportation Administration to be headed by an administrator at Level III of the Executive Pay Schedule who will report directly to the Secretary of Transportation.

Members of the subcommittee will recall that during the process of legislatively creating the Department of Transportation, the President asked at that time that a decision on the location of the urban mass transportation program be deferred for a year, during which period the two Secretaries of the Departments of Transportation and

Housing and Urban Development would study the matter and make a recommendation on the subject. This was a matter of keen interest to our colleague, Mrs. Dwyer. Such a study has been made, agreement reached and a recommendation presented to the President. This reorganization plan is a result of the recommendations.

We are holding these hearings in accordance with subcommittee policy to carefully study and prepare a record on all reorganization plans, whether or not they are controversial.

(Reorganization Plan No. 2 of 1968 follows:)

[H. Doc. No. 262, 90th Cong., first sess.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES, TRANSMITTING REORGANIZATION PLAN NO. 2 OF 1968—TRANSFERRING CERTAIN FUNCTIONS OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE DEPARTMENT OF TRANSPORTATION

To the Congress of the United States:

As long as he has lived in cities, man has struggled with the problem of urban transportation. But:

—Never before have these problems affected so many of our citizens.

—Never before has transportation been so important to the development of our urban centers.

—Never before have residents of urban areas faced a clearer choice concerning urban transportation—shall it dominate and restrict enjoyment of all the values of urban living, or shall it be shaped to bring convenience and efficiency to our citizens in urban areas.

How America and its cities solve the transportation problem depends largely on our two newest Federal Departments—the Department of Transportation and the Department of Housing and Urban Development:

—The Department of Housing and Urban Development:

character of all urban development.

—The Department of Transportation is responsible for the modes of transportation and their efficient interrelationship.

At present, responsibility for program assistance for urban highways and urban airports, and urban mass transportation is divided between the Department of Transportation and the Department of Housing and Urban Development.

As a result:

—Federal coordination of transportation systems assistance is more difficult than it need be.

—Communities which have measured their own needs and developed comprehensive transportation proposals must deal with at least two federal agencies to carry out their programs.

—To combine efficiently the facilities and services necessary for our urban centers and to improve transportation within our cities, State and local government agencies should be able to look to a single federal agency for program assistance and support. The large future cost of transportation facilities and services to the Federal Government, to State and local governments, and to the transportation industry makes side investments and efficient transportation systems essential.

An urban transportation system must:

—combine a basic system of efficient, responsive mass transit with all other forms of systems of urban, regional, and inter-city transportation;

—conform to and support balanced urban development.

In this, my second reorganization plan of 1968, I ask the Congress to transfer urban mass transportation programs to the Secretary of Transportation and to establish an Urban Mass Transportation Administration within the Department of Transportation to strengthen the organizational capacity of the Federal Government to achieve these objectives.

The plan transfers to and unifies in a new Urban Mass Transportation Administration in the Department of Transportation those functions which involve urban mass transportation project assistance and related research and development activities. Because urban research and planning and transportation research and planning are closely related, however, the plan provides that the

Department of Housing and Urban Development perform an important role in connection with transportation research and planning insofar as they have significant impact on urban development.

We expect the Department of Transportation to provide leadership in transportation policy and assistance. The Department of Housing and Urban Development will provide leadership in comprehensive planning at the local level that includes transportation planning and relates it to broader urban development objectives.

The transfer of urban mass transportation programs will not diminish the overall responsibilities of the Department of Housing and Urban Development with respect to our cities. Rather, adequate authority is reserved to that Department to enable it to join with the Department of Transportation to assure that urban transportation develops as an integral component of the broader development of growing urban areas.

The new Urban Mass Transportation Administration in the Department of Transportation, working with other elements of the Department, will consolidate and focus our efforts to develop and employ the most modern transportation technology in the solution of the transportation problems of our cities.

The reorganization plan provides for an Administrator at the head of the Administration who would be appointed by the President, by and with the advice and consent of the Senate. The Administrator would report directly to the Secretary of Transportation and take his place in the Department with the heads of the Federal Aviation Administration, Federal Highway Administration, Federal Railroad Administration and the Coast Guard.

I have found, after investigation, that each reorganization included in the reorganization plan transmitted herewith is necessary to accomplish one or more of the purposes set forth in section 901(a) of title 5 of the United States Code.

I have also found that it is necessary to include in the accompanying plan, by reason of these reorganizations, provisions for the appointment and compensation of the new officer specified in section 3(b) of the plan. The rate of compensation fixed for this officer is comparable to those fixed for officers in the Executive Branch of the Government having similar responsibilities.

The reorganizations included in this plan will provide more effective management of transportation programs. It is not feasible to itemize the reduction in expenditures which the plan will achieve, but I have no doubt that this reorganization will preserve and strengthen overall comprehensive planning for developing urban areas while simultaneously insuring more efficient transportation systems for our cities than would otherwise have occurred.

I strongly urge that the Congress allow the reorganization plan to become effective.

LYNDON B. JOHNSON.

THE WHITE HOUSE, February 26, 1968.

REORGANIZATION PLAN No. 2 of 1968

(Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, February 26, 1968, pursuant to the provisions of chapter 9 of title 5 of the United States Code)

URBAN MASS TRANSPORTATION

SECTION 1. TRANSFER OF FUNCTIONS.—(a) There are hereby transferred to the Secretary of Transportation:

(1) The functions of the Secretary of Housing and Urban Development and the Department of Housing and Urban Development under the Urban Mass Transportation Act of 1964 (78 Stat. 302; 49 U.S.C. 1601-1611), except that there is reserved to the Secretary of Housing and Urban Development (i) the authority to make grants for or undertake such projects or activities under sections 6(a), 9, and 11 of that Act (49 U.S.C. 1605(a); 1607a; 1607c) as primarily concern the relationship of urban transportation systems to the comprehensively planned development of urban areas, or the role of transportation planning in overall urban planning, and (ii) so much of the functions under sections 3, 4, and 5 of the Act (49 U.S.C. 1602-1604) as will enable the Secretary of Housing and Urban Development (A) to advise and assist the Secretary of Transportation in making findings and determinations under clause (1) of section 3(c), the first sentence of section 4(a), and clause (1) of section 5 of the Act, and (B) to establish

jointly with the Secretary of Transportation the criteria referred to in the first sentence of section 4(a) of the Act.

(2) Other functions of the Secretary of Housing and Urban Development, and or officer thereof, all to the extent that they are incidental to or necessary for the performance of the functions transferred by section 1(a)(1) of this reorganization plan, including, to such extent, the functions of the Secretary of Housing and Urban Development and the Department of Housing and Urban Development under (i) title II of the Housing Amendments of 1955 (69 Stat. 642; 42 U.S.C. 1491-1497), insofar as functions thereunder involve assistance specifically authorized for mass transportation facilities or equipment, and (ii) title IV of the Housing and Urban Development Act of 1965 (79 Stat. 485; 42 U.S.C. 3071-3074).

(3) The functions of the Department of Housing and Urban Development under section 3(b) of the Act of November 6, 1966 (P.L. 89-774; 80 Stat. 1352; 40 U.S.C. 672(b)).

(b) Any reference in this reorganization plan to any provision of law shall be deemed to include, as may be appropriate, reference thereto as amended.

SEC. 2. DELEGATION.—The Secretary of Transportation may delegate any of the functions transferred to him by this reorganization plan to such officers and employees of the Department of Transportation as he designates, and may authorize successive redelegations of such functions.

SEC. 3. URBAN MASS TRANSPORTATION ADMINISTRATION.—(a) There is hereby established within the Department of Transportation an Urban Mass Transportation Administration.

(b) The Urban Mass Transportation Administration shall be headed by an Urban Mass Transportation Administrator, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate now or hereafter provided for Level III of the Executive Schedule Pay Rates (5 U.S.C. 5314). The Administrator shall perform such duties as the Secretary of Transportation shall prescribe and shall report directly to the Secretary.

SEC. 4. INTERIM ADMINISTRATOR.—The President may authorize any person who immediately prior to the effective date of this reorganization plan holds a position in the Executive Branch of the Government to act as Urban Mass Transportation Administrator until the office of Administrator is for the first time filled pursuant to the provisions of section 3(b) of this reorganization plan or by recess appointment, as the case may be. The person so designated shall be entitled to the compensation attached to the position he regularly holds.

SEC. 5. INCIDENTAL TRANSFERS.—(a) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with the functions transferred to the Secretary of Transportation by this reorganization plan as the Director of the Bureau of the Budget shall determine shall be transferred from the Department of Housing and Urban Development to the Department of Transportation at such time or times as the Director shall direct.

(b) Such further measures and dispositions as the Director of the Bureau of the Budget shall deem to be necessary in order to effectuate the transfers provided for in subsection (a) of this section shall be carried out in such manner as he shall direct and by such agencies as he shall designate.

SEC. 6. EFFECTIVE DATE.—The provisions of this reorganization plan shall take effect at the close of June 30, 1968, or at the time determined under the provisions of section 906(a) of title 5 of the United States Code, whichever is later.

Mr. BLATNIK. We are very pleased and privileged to have with us these three distinguished witnesses, all of whom have prepared statements which will be made a part of the record.

At the outset, I would like to inform the subcommittee and the witnesses that we will hear from the Bureau of the Budget first, Mr. Phillip S. Hughes, who will summarize the proposition, which is then gone into in more detail in the statements by Secretary of Transportation Boyd and Under Secretary of Housing and Urban Development Wood.

May I suggest at this time that we hear Mr. Hughes; then the statements by the two Secretaries will follow; and when we proceed

with the interrogation that we direct our attention to those areas which are particularly of interest to the members of the committee. Without objection, we will proceed in that way.

I welcome you gentlemen, and appreciate your being here this morning. Mr. Hughes, will you proceed with your statement? It is a short statement but well prepared. It circumscribes the matter before us.

STATEMENT OF HON. PHILLIP S. HUGHES, DEPUTY DIRECTOR, BUREAU OF THE BUDGET

Mr. HUGHES. We are pleased to be here jointly and to testify in support of Reorganization Plan No. 2.

As you have indicated, Mr. Chairman, the President transmitted the plan to Congress on February 26 of this year. The plan transfers to the Secretary of Transportation certain responsibilities of the Department and the Secretary of Housing and Urban Development for urban mass transportation programs and would establish an Urban Mass Transportation Administration within the Department of Transportation.

The major purpose of the reorganization plan is to unify in the Department of Transportation those basic Federal programs which involve urban transportation project assistance and related research and development activities. At the present time, State and local agencies must look to two Federal departments for support in this field—the Department of Transportation for programs affecting urban highways and urban airports and the Department of Housing and Urban Development for programs affecting urban mass transportation. This division of responsibility and authority also unnecessarily complicates Federal coordination.

There are certain to be increasing demands by urban residents for substantial improvements in their transportation facilities and services, and our response to those demands will have a great influence on the future quality of urban life. As the President stated in his message of transmittal:

Never before have residents of urban areas faced a clearer choice concerning urban transportation—shall it dominate and restrict enjoyment of all the values of urban living, or shall it be shaped to bring convenience and efficiency to our citizens in urban areas.

We must be sure that urban transportation systems are efficient and responsive to the needs of the traveler and at the same time contribute to the sound overall development of urban areas.

We know that many of the residents of our larger cities are already spending too much of their time traveling to and from their jobs. Reductions in the workweek gained by increased productivity can be lost if workdays are lengthened by inefficient and expensive urban travel. We have, or can develop, the transportation systems necessary to free the individual from countless hours of frustrating and wasteful intracity travel. We must also insure that those systems enhance our communities so they will become even better places to live.

The major program activities carried out under the Urban Mass Transportation Act of 1964 are: (1) transportation facility grants and loans to assist State and local agencies to acquire, construct, and improve capital facilities and equipment for mass transportation serv-

ice in urban areas; (2) research, development, and demonstration projects in all phases of urban mass transportation including tests of new ideas and methods for improving mass transportation systems and service; (3) grants to State and local public agencies for planning, engineering, and designing urban mass transportation projects and for other technical studies; (4) grants to State and local governments for fellowships for training of personnel in the urban mass transportation field; and (5) grants to nonprofit institutions of higher learning to establish or carry on comprehensive research in problems of urban transportation.

In addition to those activities, the reorganization plan refers to a number of other functions which are, in part, applicable to urban mass transportation programs: (1) a portion of the authority to make loans for public works and facilities as authorized by the Housing Amendments of 1955; (2) a portion of the authority to make relocation payments to individuals, business concerns, and nonprofit organizations displaced by a federally assisted development program as specified in the Housing and Urban Development Act of 1965; and (3) the authority to receive appropriations for the purpose of making payments to the Washington Metropolitan Area Transit Authority as authorized by the 1966 act granting consent to the interstate compact which created the authority.

The reorganization plan creates a new and distinct unit in the Department of Transportation to be known as the Urban Mass Transportation Administration. The Administrator of this organization will be appointed by the President, by and with the advice and consent of the Senate, and he will report directly to the Secretary of Transportation. Thus the views of the new administration will be heard at the top levels of the Department along with the views of the Federal Aviation Administration, the Federal Highway Administration, the Federal Railroad Administration and the Coast Guard. The Administrator would be compensated at Level III of the Executive Schedule Pay Rates.

The new organization created by the plan for the development of urban mass transportation will function in the broader context of other national transportation needs. Some of the new systems and technology which will be developed by the Urban Mass Transportation Administration will draw upon the research and development work now being conducted by other components of the Department of Transportation. No single mode of transportation can fulfill all of the needs of our cities for adequate transportation systems. Trains, buses, automobiles, and aircraft will all have a vital role to play in the solution of our urban transportation problems.

The creation of the Urban Mass Transportation Administration will strengthen and support the Secretary of Transportation in his efforts to provide other levels of government and the transportation industry with sound and comprehensive guidance and assistance. While State and local governments must choose the "right" transportation systems for the cities, the Federal Government must support this State and local effort with research, development, and project assistance.

A successful urban mass transportation system should operate efficiently and be compatible with other forms of intracity transportation. But in addition, as the President stated in his message of

transmittal, mass transportation must also "conform to and support balanced urban development." For this reason, the reorganization plan provides for the continuation of the Department of Housing and Urban Development's role in important aspects of transportation research and planning as they relate to overall urban development.

The plan reserves to the Secretary of Housing and Urban Development authority—

To make certain grants or undertake certain projects or activities which primarily involve the relationship of urban transportation systems to comprehensively planned urban development and the relationship of transportation planning to overall urban planning. These are authorities provided by the Urban Mass Transportation Act of 1964 for: (1) research, development, and demonstrations (sec. 6(a) of the act); (2) technical studies (sec. 9); and (3) grants to institutions of higher learning for comprehensive research (sec. 11).

To advise and assist the Secretary of Transportation in making findings and determinations that grant assistance is needed to carry out a proposed program, or one under active preparation, for a coordinated urban transportation system as part of the comprehensively planned development of an urban area. Such findings and determinations are a requisite, on a project-by-project basis, to the provision of assistance under the program. Thus, while the Secretary of Transportation would make the final decisions with respect to individual projects under the program, the Secretary of Housing and Urban Development would provide advice particularly with respect to the relationship of such projects to the overall development of urban areas.

To enable the Secretary of Housing and Urban Development and the Secretary of Transportation jointly to establish criteria (called for in section 4(a) of the act) for identifying programs for coordinated urban transportation systems as part of the comprehensively planned development of urban areas. These general standards are used to determine the relationship between a coordinated urban transportation system and an area's overall development.

The plan provides the basis for a sound cooperative relationship between the two Departments—the Department of Transportation responsible for transportation policy and assistance, and the Department of Housing and Urban Development responsible for leadership in comprehensive planning, including transportation planning as it relates to broader urban development needs. The two Departments are now working out the detailed coordinating procedures necessary to assure the implementation of both roles.

The reorganization plan is an important part of the President's program for improving the management of Federal programs and activities and the Bureau of the Budget strongly recommends that Congress allow the plan to become effective.

That concludes my statement, Mr. Chairman. We can proceed from here as you and the committee might wish.

Mr. BLATNIK. Thank you, Mr. Hughes. We will now have the statement by Secretary Boyd, a copy of which is before each of the members of the committee, and following that a statement by the Under Secretary of HUD, the Honorable Robert C. Wood.

STATEMENT OF HON. ALAN S. BOYD, SECRETARY OF
TRANSPORTATION

Mr. Boyd. Mr. Chairman, I appreciate the opportunity to appear before this committee in support of Reorganization Plan No. 2 of 1968 which, with certain reservations, would transfer the urban mass transportation program from the Department of Housing and Urban Development to the Department of Transportation.

In the legislation creating the Department of Transportation, Congress directed the Secretaries of the two Departments to study and report to the President and the Congress on the logical and efficient organization and location of urban mass transportation functions in the executive branch. The reorganization plan which President Johnson has transmitted carries out the recommendations of the two Secretaries as set forth in their report to the Congress.

Before discussing in detail the transfer of functions involved in the reorganization, it might be useful to review briefly the substance of the Urban Mass Transportation Act of 1964 and the projects being carried out under it.

The broad purpose of the act is to provide assistance for the development of public and private mass transportation systems in metropolitan and other urban areas. In furtherance of that purpose, the act authorizes Federal grants or loans to State or local public agencies for the acquisition, construction, or improvement of mass transportation facilities and service. The grants or loans are conditioned on a finding by the Secretary that the assistance is needed for carrying out a program, meeting criteria established by him, for a unified or officially coordinated urban transportation system as a part of the comprehensive planned development of the urban area, and are necessary for the sound, economic, and desirable development of such area. Thus, the object of the Federal program is to improve mass transportation services but only where they are to be developed as part of a coordinated transportation system, conceived in the context of a comprehensive plan for the urban area being served.

In addition to the basic facilities and equipment assistance program, the act authorizes the Secretary to undertake research, development, and demonstration projects aimed at reducing urban transportation needs, improving service, or reducing the costs of service. It also authorizes grants to State and local agencies for managerial training programs; for project planning, engineering and design; and for technical studies relating to management, operation, economic feasibility, and other activities involved in the construction and operation of mass transportation systems. Finally, the act authorizes grants to public and private nonprofit institutions of higher learning to assist in the establishment of carrying on of comprehensive research in the problems of urban transportation.

By an amendment to the act in 1966, the Congress directed the Secretary to study and prepare a program of research, development, and demonstration of new systems of urban transportation. While I have not had an opportunity to study the report in detail, I have reviewed it and am impressed with the imaginative and comprehensive approach taken. I have asked my technical and policy offices to give the

report priority attention with a view to moving ahead in this very important area.

Through the fiscal year 1969, Congress has authorized \$675 million to fund programs authorized by the act, of which \$620 million has been appropriated. Grant approvals through February 29, 1968, total \$378 million for capital improvements of mass transportation systems; \$53 million for research, development, and demonstration projects; \$2 million for the new systems study; and \$7 million for managerial training, technical studies, and urban transportation research.

How will Reorganization Plan No. 2 affect the administration of these programs? First, it will transfer all of the authority to make grants and loans for the acquisition, construction, and improvement of mass transportation facilities and equipment from the Secretary of Housing and Urban Development to the Secretary of Transportation.

Second, it will transfer to the Secretary of Transportation certain technical authorities of the Secretary of Housing and Urban Development contained in other acts but necessary to the administration of urban mass transportation programs.

Third, it will reserve certain functions to the Secretary of Housing and Urban Development which relate to the role of his department in urban planning assistance and coordination. Thus, there is reserved so much of the authority under sections 3, 4, and 5 as is necessary to permit the Secretary to participate with the Secretary of Transportation in establishing joint criteria to be followed by local planning agencies in developing coordinated transportation systems as part of comprehensive urban development. There is also reserved the authority necessary to permit the Secretary to advise and assist the Secretary of Transportation in making findings and determinations as to whether the projects for which Federal assistance is sought are related to a program for the development of an urban transportation system as part of a plan for the comprehensive development of an urban area. Finally, the plan reserves to the Secretary of Housing and Urban Development part of the authority in sections 6, 9, and 11 to undertake research or make grants for technical studies and research in problems of urban transportation. Here, the Secretary's authority would be limited to grants and research primarily concerned with the relationship of urban transportation systems to the comprehensively planned development of urban areas, or the role of transportation planning in overall urban planning.

The plan does not involve any change in the authority of the Secretary of Labor with respect to the labor protective provisions of section 13(c). Those provisions will continue to be administered by the Secretary of Labor and we will work closely with his Department on the labor aspects of the grant applications which come before us.

To administer the transferred functions, the plan creates within the Department of Transportation an Urban Mass Transportation Administration, headed by an Administrator appointed by the President, by and with the advice and consent of the Senate, and compensated at Level III of the Executive Pay Schedule. The Administrator will report directly to the Secretary. This will place the urban mass transportation program on the same footing within the Department as the aviation, highway, and rail administrations. As you know, by virtue of the highway and airport grant programs and rail studies

and experimentation carried out by these administrations, the Department is already deeply involved in the development of urban transportation facilities.

With this background on the program and the plan, I would like to turn to the matter of most concern to this committee: Why does the reorganization proposed constitute the most logical and efficient organization to carry out urban mass transportation programs?

Our analysis starts with the proposition that the development of our urban areas is first and foremost the responsibility of local government. Local government is responsible for establishing a community's development objectives, identifying the means by which those objectives will be achieved, planning the size and location of community facilities, and then carrying out the programs for facility development.

The Federal Government's purpose in providing technical guidance and financial assistance to the community is to assure that urban development proceeds at a pace and in a manner consistent with overall public objectives. Our goal should be to manage these Federal assistance programs so as to achieve what science calls a synergistic effect—accomplishing a total effect from the Federal effort which is greater than the sum of the individual programs.

At the heart of the organizational problem lie two facts. One is that transportation, as much as any other single factor, shapes the development of our urban areas. Consequently, if we are to create suitable living and working environments through orderly development of our urban areas, it is essential that transportation facilities be the servant of development and not the master.

The other fact is that each of the various modes of transportation are but pieces of a local, regional, national, and international transportation system. Therefore, if we are to provide most efficiently the transportation services necessary to our national defense and commerce, and the social cohesion and personal fulfillment of our citizens, transportation must be viewed as a system, and each mode of transportation must be viewed as an integral part of that system. This is especially true in the case of urban transportation where the inherent advantages of one mode of transportation over another are not always clear. Here, there is a real need for conducting research and demonstrations, identifying and evaluating alternatives, and then following through with action programs. Such a systems approach is difficult to achieve when the responsibility for transportation programs is divided.

The basic decision turns, then, on a judgment as to how the programs supporting these sometimes conflicting objectives can best be accommodated within the organizational structure of the Federal Government, and within the framework of Federal-State-local relationships. It was our judgment that the best solution lay in establishing a clear alignment of the functional responsibilities between the two Departments, and then providing for a meshing of the programs for transportation planning and development with the programs for urban planning and development through the establishment of a tight coordinative mechanism. Three steps were indicated.

The transfer of the urban mass transportation program to the Department of Transportation is the first. It permits the function of urban mass transportation to be treated in a systems context along

with the other modes of transportation whose development is assisted by the Department—and we are convinced that the lack of a systems approach is an important factor in the transportation problems of many of our cities. It also simplifies channels for State and local agencies working with the Federal Government on transportation projects.

The second step is to clarify and strengthen the role of the Department of Housing and Urban Development as the principal Federal agency concerned with sound, comprehensively planned development of our urban areas. This is the purpose of the reservation in HUD of authority under the Urban Mass Transportation Act to undertake research and make grants on those problems involved in the relationship of transportation system planning to comprehensive urban planning. It is also the purpose of the reservations of authority under sections 3, 4, and 5 which will allow HUD to participate actively in establishing criteria for relating transportation system planning to comprehensive urban planning, and to advise the Department of Transportation as to the adequacy of local planning programs.

The third step is to establish formal procedures for a closer working relationship between the two Departments in all cases in which transportation planning and project implementation will have a significant impact on urban development. From such a working relationship at the Federal level, we can secure better coordination among agencies at the State and local level. This is essential because it is those agencies who bear the ultimate responsibility for planning and carrying out the development programs.

Thus, we believe that the reorganization plan, together with the agreements to be worked out by the two Departments, will for the first time tie the Federal transportation programs together, provide the mechanism for relating national transportation objectives to urban development objectives, and permit a unified Federal approach to help in achieving orderly urban growth through the development of effective transportation systems.

I am convinced that the plan before you represents a step we must take if we are to cope with the problems at hand.

Mr. BLATNIK. Thank you very much, Mr. Boyd.

Mr. Wood, will you proceed?

STATEMENT OF HON. ROBERT C. WOOD, UNDER SECRETARY OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Mr. Wood. Mr. Chairman and members of the subcommittee, I appreciate this opportunity to appear before you in support of Reorganization Plan No. 2 of 1968.

The plan will transfer from the Department of Housing and Urban Development to the Department of Transportation various functions under the Urban Mass Transportation Act of 1964, together with certain incidental authorities under other laws. In part, the functions to be transferred are those of assisting in the provision of mass transportation facilities and equipment needed for coordinated urban transportation. In addition, the plan will transfer to the Department of Transportation a function of assisting, through research and demonstration programs, in development of transportation facilities and systems for the future.

Aside from these transfers, the plan reserves certain functions under the Urban Mass Transportation Act to the Department of Housing and Urban Development.

The Department would retain authority for assisting research, demonstration, and technical study activities which primarily involve the relationship of urban transportation systems to overall urban development and the role of transportation planning as a part of comprehensive urban planning. Further, it would join with the Department of Transportation in establishing criteria for determining whether, as the law requires as a condition for facilities assistance in any urban area, there is or is being developed an adequate program for a unified or coordinated transportation system as part of the comprehensively planned development of that area. And the Department would also have the role of advising and assisting the Department of Transportation in determining whether in any area these criteria have been or are being met.

The functions I have referred to do not necessarily cover every aspect of the operating relationships which the two Departments may establish in connection with the operation of the mass transportation program. They do, however, reflect our major, basic areas of departmental responsibility. Essentially, the Department of Transportation will be responsible for assisting transportation systems responsive to both national and local needs and for developing new systems required to meet the needs of the future. The Department of Housing and Urban Development will be responsible for providing guidance in connection with the planning required to establish a sound relationship between these systems and urban needs, and for research and development activities focused upon finding ways of making this relationship more meaningful in the years to come.

From an administrative standpoint, we in the Department of Housing and Urban Development are confident that the plan represents a very workable arrangement for discharge of these departmental missions. So far as our own Department is concerned, we have been engaged for many years in assisting urban transportation planning as part of our comprehensive program under section 701 of the Housing Amendments of 1955. We are rapidly developing an urban research program that will reach into all major systems and techniques affecting the course of future urban developments. The functions reserved to us under the plan are very closely related to these program responsibilities.

From an administrative standpoint also, we believe that the two Departments are fortunate in that they have been able to develop an arrangement which not only calls for cooperation between them but which rests upon a solid framework of past cooperative activities. For example, the Departments and their predecessor agencies have collaborated closely for years in helping hundreds of communities to develop the planning structure necessary for sound transportation systems. We have established, and have in operation, machinery at the regional level for dealing with a variety of planning coordination matters. And we have consulted extensively on a wide variety of projects and issues, from improved techniques for land use forecasting and airport planning, to the recently completed study of new urban

transportation systems for the future, and the high-speed ground transportation project.

But whatever the logic of the plan in terms of the day-to-day administration, it would be a mistake to consider it only in these terms. Much of its significance must be measured against a broader framework of where we are and where we are going in dealing with what is, by all counts, one of the most vexing and complex of urban problems.

In the first place, we think the plan represents an important step in our thinking about urban transportation. In the past, there has been a common tendency either to deplore the deficiencies of urban transportation systems from the standpoint of transportation objectives, or to deplore the deficiencies of these systems from the standpoint of their effect, or lack of effect, on urban development objectives. The plan in a formal, tangible sense recognizes a hard truth which has become increasingly clear in recent years. This is that we cannot simply subordinate one set of objectives to the other. We must deal simultaneously with both, and we must organize our resources and skills for dealing more effectively with both.

A second point follows from this first. For as we concentrate our skills and resources upon different aspects of the urban transportation problem, and develop our respective capabilities, we must be aiming at something beyond doing a little more efficiently or on a larger scale what we have been doing before. We must be aiming at major improvements in our techniques and methods for doing things, and for tying the results of our work together.

For example, our objective in planning should not be simply to assure that there is planning, or that transportation planning is carried on as a part of comprehensive urban planning. The real need is to make planning more effective, better informed, and more responsive at the right times to the right—even if hard—questions. This means, among other things, that those who plan must be alert to all the technical financial and political problems that are apt to be involved in implementing plans. It means, too, that those engaged in long-range planning must be alert to the technological possibilities that research is developing and that will be available in the future.

So far as the Department of Transportation and the Department of Housing and Urban Development are concerned, success in accomplishing this kind of major improvement requires more than simple agreements on matters of administrative routine. It requires a high degree of understanding as to basic missions, goals, methods and priorities in the field of urban transportation. We feel that, during the past year particularly, we have already made unusual progress in achieving this understanding. It is reflected in the statements of departmental responsibilities contained in the President's message transmitting the plan, in the urban transportation recommendations of his message on Housing and Cities, and in the joint report of the two Departments on their studies and deliberations leading up to the plan. We expect that it will be further detailed in the operating agreements the two Departments are now developing and in other aspects of their relationships in the future.

It must be remembered, however, that success in this broader sense is not a matter simply for the Department of Transportation and the Department of Housing and Urban Development. Nor is it simply—

or even primarily—a matter of Federal responsibility. For our powers are simply those of providing assistance and guidance. It is at the State and local level that most of the really crucial decisions will be made. Without a spirit of cooperation there, without an understanding as to basic goals there, neither the plan nor any other step we may take to improve Federal organization and coordination can possibly have its intended effect.

It must also be remembered that even the best organization can go only so far. No organizational arrangement, no division of responsibilities, will by itself make the hard problems—the dilemmas of choice—vanish. And no improvement in our techniques for dealing with problems of the future is going to eliminate existing barriers traceable to faulty techniques of the past.

But we can focus our resources more precisely on what we are doing with a view to seeing that the right questions are considered, in the depth and places where they should be considered, and in good time. To the extent that we can do this, we can do much better in the future than we have in the past. The plan is a step, and a potentially major one, in that direction. It is the product of careful deliberation. It has been jointly recommended by the two Departments. We in the Department of Housing and Urban Development believe that it should contribute to a strengthening of our capacity to cope with all the needs of our urban localities and the people who live there today, and who will be living there in the future.

Mr. BLATNIK. Thank you, Mr. Wood.

Mr. Secretary, would you have any summary you would like to present of your statement or any particular point to which you would like to call attention to which Mr. Hughes may have made a reference?

Mr. BOYD. No, sir; I am in complete agreement with the statement of Mr. Hughes. The net effect of this reorganization plan is to provide a means whereby the Department of Transportation will have primarily the internal responsibilities for urban mass transportation; that is, dealing with transportation as transportation; and HUD will retain what, for lack of a better term, we call the external responsibilities, those relating to the impact of the transportation systems and activities on the urban society.

Mr. BLATNIK. Mr. Wood, would you have any comments? It is not necessary, but you are free to make any comments or statement or call attention to any aspect that you wish to have underscored or emphasized from your Department's point of view at this point.

Mr. WOOD. I would echo the sentiments of Secretary Boyd, Mr. Chairman, as to the common position that the two Departments and the Budget Bureau have with respect to this plan and Secretary Boyd's indication of the basic principle under which this plan was developed, the so-called lead agency principle in terms of carrying on our particular duties.

As my formal testimony points out, we think that given appropriate resources we will be able to develop here a capability to work effectively with DOT in shaping a better urban environment, and we propose to go forward on that basis with every means and cooperation.

Mr. ROSENTHAL. The fact is, Mr. Chairman, if you permit me, Mr. Wood, you would in fact have no authority; as I read Mr. Hughes' statement on page 6, you have an advisory role.

Mr. Wood. I think we would have authority, Mr. Rosenthal, as the plan itself indicated, with respect to the portions of research and development that have major external impact considerations. We would have authority in terms of transportation, in terms of the encouragement and creation of the planning agency, the review of planning criteria. I think the basic question here is would we have authority over the making of the grants and the loans in the assistance program, and these clearly go to DOT.

Mr. ROSENTHAL. You don't disagree with Mr. Hughes' statement where he says on the bottom of page 4:

Thus, while the Secretary of Transportation would make the final decisions with respect to individual projects under the program, the Secretary of Housing and Urban Development would provide advice * * *

Mr. Wood. No, I would simply underscore the providing of that advice on projects which we would regard as an important function. The establishment of criteria and the certifications called for earlier in Mr. Hughes' statement we would regard as meaningful decisions.

Mr. BOYD. If I may say something, Mr. Chairman, I think one of the things we need to do in this whole business of urban development and urban transportation is to get the right perspective. I have a perspective which I hope is the right one. We tend to talk as if all of the activities are in a very small universe, specifically in Washington in the Office of Secretary of Housing and Urban Development, and in the Office of the Secretary of Transportation.

The fact of the matter is the Federal Government is not deciding how cities are going to develop or what their transportation systems are going to be. This is done by local citizenry and planning agencies. This is made clear in all of our statements. These are local decisions.

We in the Federal Government are involved in three things: one is the establishment of criteria for the carrying out of Federal portions of these programs; two is research; and three is development through loans, grants, and so forth. But the basic decisions as to what kind of transportation city X is going to have comes from city X, not from the Federal Government.

The basic decision for the Federal Government is to decide whether the requirements of the city meet the criteria and the priorities which have been established for the Federal programs.

Mr. BLATNIK. This is the main area that puzzles me. I am not clear how it would be put into operation; that is, I just don't see where HUD's authority ends and the Department of Transportation's begins. It is pretty involved.

Mr. BOYD. This is a very complicated area, and there is no way it is going to become simple. The nature of the beast is complicated.

I would say the answer would be this. Getting back to the question of internal versus external impacts, both Departments in their research activities will come before the authorizing and appropriations committees and say this is what we propose to do in our Department and this is how it relates to what the other Department is doing.

Mr. Wood. Another way, Mr. Chairman, to maybe clarify that twilight zone that you have identified, is to think of the number of decisions that are involved in the process of providing effective transportation in ways that have constructive impacts on urban areas. This process begins with a set of decisions of how you help local govern-

ments get ready to look at their problems, the relationship of the impact of transportation on land uses and other uses, and then it flows through their capability of carrying out such projects to the question of the final assistance in these projects.

Now, the plan, as we understand it, says that in essence HUD will be the prime force in trying to encourage comprehensively effective development plans and then to see how transportation activities impinge upon them.

By HUD being able to be involved early in this activity, I think we probably will be able to place the emphasis of our responsibilities at a timely initial stage more effectively than we have been able to do sometimes in the past.

Mr. BLATNIK. You are sure it will be done more effectively, not result in either conflicts or deadlocks which is typical in the District of Columbia?

You see, you have the States involved; the municipalities, the Federal Government. You have your own sort of quasi-independent agencies, land use, sanitary districts, school boards. They have their own concept of what to do with certain land.

Mr. Wood. I am right with you and Secretary Boyd, Mr. Chairman, in saying this is a complicated business. It is clear that DOT and HUD are going to have to sit in each other's laps in this whole series.

I think one of the characteristics of administrative and executive action in this stage of American domestic programs is that you cannot any longer draw self-contained boundary lines and put programs completely within one jurisdiction. Their working relationships are probably increasingly important. I think this underlies the whole approach of creative federalism. I think the compulsion which makes us believe that these administrative collaborative efforts will work is the fact that the substantive programs cannot work unless there is this cooperation. We cannot have orderly urban development unless we are able to deal freely and openly with transportation plans and activities. Transportation programs cannot go forward unless they have the support and understanding of the communities involved.

I think it is in this spirit that the plan was developed.

Mr. BLATNIK. What do you do when you have a metropolitan-suburban complex that involves several governmental subdivisions? Is that your comprehensive planning program, to get them all to come into agreement on an overall areawide plan?

Mr. Wood. If there is a comprehensive plan regarding the collaborative efforts of the different jurisdictions, and these are the joint criteria which DOT and HUD sign off on, what we want to do is to put in being a mechanism that will allow the local governments to collaborate in their decisions or at least have it underway and then to see from there how we can respond.

Mr. HUGHES. Mr. Chairman, if I could take a run at this, I think, going back to some of Secretary Boyd's comments, if we could look at this transportation plan in a given community as a two-step or two-stage effort, the first stage is essentially the evolution of an adequate transportation plan for that community, consideration being given at this point to the various elements of transportation: highways versus mass transit versus perhaps air transport, railroads, and so on; the relationship of these transportation components.

This area, as we have looked at it, is essentially the Department of Transportation's area, and one of the major reasons for putting the urban and mass transportation program into the Department of Transportation is to compel, in a sense, the weighing of the merits of urban mass transportation in a given situation against other transportation programs.

Then, once the elements of the transportation plan have been evolved, the next stage is the relationship of the transportation plan to the rest of community planning, to the comprehensive plan, to the plans for residential development, to the effect of transportation planning on relocation requirements, on open space requirements, and so on.

It is in this latter area that the Department of Housing and Urban Development needs to have its say, both in terms of advice to the Secretary of Transportation and in terms of a share of responsibility for the approval of the criteria governing in this regard.

The relevant portion of the reorganization plan I think is relatively explicit and relatively brief on these points, and what it says essentially, looking at section 1(a) (1), is that all of the urban mass transit program is transferred to DOT with the exception of certain specific reservations which relate to planning, to research and the shared responsibility for the development of these criteria.

The words of the plan will need to be filled out by memorandums of understanding and exchanges of letters and so on between the two Departments, and there will need, of course, to be appropriate allocations of personnel and funds as is the case with all plans.

But the terms of the plan itself are quite precise and I think illustrative of this two-stage evolution of a plan that I have tried to describe.

Mr. ROSENTHAL. Mr. Hughes, if I might, I keep sensing that you are putting the cart before the horse. Is it your suggestion that we must first develop a major national transportation plan? Then, after we fit the pieces in or around the city, we consider what the problems within that city are and orient them to the transportation plan that has already evolved?

Mr. HUGHES. I have misled you, I think.

Mr. ROSENTHAL. I may have misunderstood you.

Mr. HUGHES. We start with the community, as Secretary Boyd described it. Community A has mass transportation needs as it sees these needs, and it applies for Federal assistance in meeting these needs, planningwise and in terms of the development and the construction of the system itself. This is a particular community. It is not a national transportation plan. But this is a particular community having needs and under the terms of the Urban Mass Transportation Act applying for assistance from this program.

The first stage is the consideration of that transportation application in relation to the highway system and other transportation systems of that community.

However, sooner or later—and perhaps in some ways the sooner the better—you get to the second stage which is the relationship of transportation planning as a whole to the comprehensive plan for the community and to other urban systems: sewer and water, residential planning, recreational planning, and so on.

This would take place community by community.

Mr. BOYD. If I may add something, Congressman, I think that you can look at transportation in the sense of a series of rings within each other. There is an urban transportation system, a regional transportation system, a national transportation system, and an international transportation system, and these more or less fit within each other; the movements flow back and forth, and there is a relation from one to the other, although they aren't all moving in the same direction.

The functioning of the system really is altogether separate from having a transportation policy, whether it be a national, regional, local or what. The system operates to a large extent based on a true market function and has nothing to do with policy from the Federal level.

Mr. ROSENTHAL. It has to do with policy; the final decision as to what grants will be made will rest with your Department.

Mr. BOYD. There is no question about that.

Mr. ROSENTHAL. Your Department has a philosophy different from HUD. Your Department is charged with developing a national transportation system. HUD's Department is to provide a better life for urban people.

Mr. BOYD. You haven't been reading my speeches.

Mr. ROSENTHAL. I remember some of your speeches; yes, I do.

In other words, it is Robert Wood versus the Robert Moses' concept. Moses' concept was quite adequate in 1930. We will build highways and we will run them in quickly and we will get good service between Philadelphia and New York.

Today we are concerned with the preservation of the integrity of the cities, and we have got to get people to their jobs and make sure that local inner-city communities are not isolated from the outside world. It is a question of philosophy and mission.

It seems to me the President charged you, Mr. Secretary, with developing a national transportation policy for air, maritime, roads, and highways. He charged HUD with certain other things.

I would suspect that their commitment to society is different from yours. This is nothing wrong. That is the way it should be.

Mr. HUGHES. Isn't this the reason for keeping the Department of Housing and Urban Development in the act as the plan specifically does?

Mr. ROSENTHAL. In my honest opinion, they are just playing with words. Their role in this act will be a third-rate supporting character. They will make recommendations, and if the Secretary of DOT doesn't like them they will reject them. They will dance the same music for 6 months to a year, and after that it will be over.

Mr. BOYD. I am really terribly concerned about your view of the Department of Transportation and its philosophical bent. I just don't think I have made myself clear on what our philosophy is. I would like to take another whack at it.

Both officially and personally I have stated, and I have tried to develop policy on the thesis, that transportation is for people, that transportation is a service function, and that it has to serve people. I have also moved over into Mr. Wood's area and said that cities are for people and we should devise programs and plans for the benefit of people.

Now, if this is a Robert Moses approach to life, I don't understand Robert Moses. If we are not acting in accord with that philosophy, I would like to see some examples of it. I have spent more time and effort in trying to bring the transportation system, so far as the Federal Government is concerned, into line with this philosophy than anything else.

Mr. ROSENTHAL. Mr. Wood, I wonder if you could tell us what you think about this. I know you are supporting this plan. I am very much aware that the Bureau of the Budget and Mr. Weaver signed a memorandum which was submitted to the President on February 24, 1968. But I am sincerely concerned about the direction of urban mass transit. I think it is an important adjunct to life in the city. I just wonder if it wouldn't fare better staying in your Department than being transferred to DOT.

Tell me why I am wrong.

Mr. WOOD. I think you are wrong.

First, let me take a step out on a point of personal privilege to indicate that my regard and relationship with Mr. Moses is not the same as my regard and relationship with Secretary Boyd. My record of a dialog with Mr. Moses has been considerably different than with Secretary Boyd.

Secondly, basically, the limitations of the present arrangements in which HUD goes forward in its mission to try to deal with the various subsystems that condition life in urban communities are that at the present time in the transportation area we have a grant program relating to just one mode of urban transportation. It does not seem to me personally, nor does it seem to me in my present capacity, realistic to assume that the operation of that grant-in-aid program of assistance in grants and loans to mass transportation will decisively condition all the transportation systems in urban areas.

It seems to me that the way HUD moves forward in trying to carry out its mission on urban development is to try to get in early into the development process of any of these activities that hinge upon land use; to have our say—not in terms of particular projects or particular expertise of a particular facility—but to have our say in general criteria and in general certifications.

There are at least, over and beyond housing, three other major sets of facilities that condition the market of urban life. One is transportation, the other is sewer and water, the third is kind of a major community institutionwide complexes such as hospitals, civic centers, or what have you.

We can't presume to exercise control over hospitals with HEW. We don't presume to have a continued impact on welfare institutions or centers for these other facilities.

We do presume to try to get directly and early into the game so that we can have impact in these decisions.

Mr. ROSENTHAL. What has been your record of success on impact of other agency decisions?

Mr. WOOD. Generally, not as fast and not as rapidly as I would expect in the detached circumstance, but I think there is continuing progress. I take a great deal of satisfaction in the fact that in the last few months the efforts of HEW and HUD in collaboration were able to carry forward the development of an acceptable program for

medical facilities in the city of Newark. I believe that was evidence of collaboration between local, State and National Government that has some prototypes.

Mr. ROSENTHAL. You shouldn't take much credit for that because you did that after the horse was out of the barn.

Mr. WOOD. No, I think we redesigned the barn or shifted the situation in considerable respect. I think we have begun to find in the so-called pilot neighborhood centers which involve the four Great Society agencies initially and more lately transportation, the pattern for collaborative structure. I think the model cities program is premised on the fact that the relevant Federal departments and agencies can carry out collaborative strategy. I think on net balance our impact on urban transportation will be increased by this reorganization plan.

Mr. ROSENTHAL. I don't see how you can say that. It will be decreased almost to a minimal point. You will have an advisory role. This has nothing to do with who the present secretary is. We are considering a plan for years to come. Once Congress acts, they can't rescind this action.

The fact is we don't have to act at all. This plan will become operative unless someone files a disapproval resolution. Once this event takes place, this responsibility for urban transit will be in the Department of Transportation.

Mr. WOOD. The responsibility for giving grants and assistance for individual projects will be in transportation, and for developing a transportation plan. But that plan can't go forward without certification of its relevance to the general urban plan.

Mr. BOYD. I think, Mr. Rosenthal, you should bear in mind that according to the statistics I have, 94 percent of the movement in cities is on streets and highways. As things stand today, that is in the Department of Transportation. There is no question about it. We have the sole, complete power. And we are not eliminating that.

Now, the mass transit is the 6 percent. To try to give you an example of cooperation, we have gotten fairly deeply involved in the District of Columbia highway system. I have, at least in the eyes of one newspaper, been credited with being an obstructionist to the great progress in the highway system. The fact of the matter is HUD and DOT are working together trying to help the District develop a highway system which improves the total community. This is an element of collaboration. We are working together in Nashville on highway development and urban renewal jointly. I think we could come up with any number of examples of how we are working together.

In these cases I don't believe HUD or the Department of Transportation would say it is all one way. By definition, if we are cooperating we are trying to get something done. If we weren't interested in working with each other, they could go their way on urban renewal in Nashville and we could go our way on urban highways in the District.

Mr. ROSENTHAL. I just have a feeling that highways and subways and other modes of transportation are an essential, integral part of improving the quality of life in our cities, which is my personal kick. I think we all agree.

What is the most efficient way to coordinate the improvement of life in the cities, the building of the cities? People in transportation who

allege that 94 percent of our people travel on highways somehow seems to me can less relate to subway transportation than the fellows who are building model cities.

Mr. BOYD. That is one of those "When did you quit beating your wife" sort of things, Mr. Rosenthal. That is not an allegation. That is a statement of fact. The fact that I know this is the share of movement on the highways doesn't have anything whatsoever to do with the philosophy of the Department of Transportation.

Mr. ROSENTHAL. In the city of New York 94 percent of goods and services don't move on highways.

Mr. BOYD. That is very true.

Mr. ROSENTHAL. What percentage does in the city of New York?

Mr. BOYD. I can't give you that figure.

Mr. ROSENTHAL. I won't burden the committee. I am just worried about the situation. Don't consider it anything personal, Mr. Boyd. It isn't that at all.

Mr. BOYD. Let me point out something else to you, Mr. Rosenthal. The quality of life in the cities is related to a good many things, not the least of which is the ability of people to earn a living, and that is related to a transportation system which goes far beyond the city. You have to have some way to dovetail your urban transportation with your interurban and international transportation.

Mr. ROSENTHAL. I think that is absolutely true.

Mr. BOYD. This is what we are talking about. We are talking about doing it in the context of comprehensive urban planning.

Mr. HUGHES. Mr. Rosenthal, I think your comments indicate that you are concerned about the leverage here, whether HUD will have adequate leverage. This was the source of considerable discussion, believe me, within the executive branch, and it was anticipated as the source of major congressional concern, and quite legitimately so.

I think the fundamental point here is the one we started out from, that transportation and cities are both extremely complicated and very closely related.

In a city of today, everything is related to everything, practically. Transportation, welfare, health, ghettos and so it goes.

The solution to that question is not to make the Department of Housing and Urban Development, at least as I see it, the Department of everything for cities. I can't see that is a reasonable solution. Rather, the answer, it seems to me, in this inevitable complex world is to establish definite program areas and to provide for the best interrelationships that we can between these areas, both in terms of the good will of the individuals and in terms of the institutional and the statutory relationships.

Now, the plan here—I just have to dissent from your view—doesn't give the Secretary of Housing and Urban Development a third-rate status with respect to the effect of mass transportation or any other transportation systems on urban development and on the quality of urban life.

It seems to me, as Mr. Secretary Wood has suggested, the shared responsibility for the development and the establishment of criteria here puts the Secretary of Housing and Urban Development very much up front.

I say this, but not in the context of anticipating bad judgment on the part of either Secretary Boyd or his successors. We need protection, surely, from bad judgment, but we need also the checks and balances and the cross-collaboration that is reflected in the complexity of life.

But the plan does give the Secretary of Housing and Urban Development substantial leverage on the aspects of urban mass transportation and other transportation planning that relate to the development of cities. He will have better leverage, I venture to say, in the transportation area, mass transportation in particular, than he probably has in the hospital area that you mentioned, and in some of the other areas we could talk about.

Much of the discussion and the planning of the plan centered around the means of best assuring this. We think the plan does and that it can be adequately supplemented by memoranda of understanding and, if necessary, Presidential directives to assure that these features of the plan are carried out.

Mr. BOYD. May I say, sir, if I may refer to one of your earlier questions, the problem of urban mass transportation is not whether it has moved into the Department of Transportation. The problem of urban mass transportation is a lack of funds. It is not an organizational philosophy problem. The subway system in New York, which is less than an ideal system of transportation according to some people, is in that condition because of the lack of money being invested in the system. That is the basic problem.

Mr. ROSENTHAL. I think the word is commitment. Different people have different feelings about things. In your Department, urban transportation will compete with five other modes for money. Some people in the higher levels of your Department may think it more important to build a highway system, a first-rate highway system throughout the Nation. Some other people that may presently be in HUD may think it is more important to develop a really good subway system in New York and the District and Chicago and Mobile, Ala., and places like that. It depends on commitments.

When President Theodore Roosevelt came into office he wanted to change the policy from a land-grant policy to conservation, and he couldn't do it because the Departments weren't established to accept a new philosophy.

I was here when your Department was established, and we were told that the major impact of your Department would improve transportation in the United States: maritime transportation, highway transportation, aviation transportation, and all these other things. We never heard anything said about inner-city transportation, within cities transportation, urban transportation. We were told at the time we would hold in abeyance for 1 year what we should do about mass transportation.

I am worried that the type of urbanologists that reside in HUD do not at the moment reside in your Department.

Mr. BOYD. Mr. Rosenthal, first and foremost, let me back up and refresh your memory. What we talked about in testifying on the Department of Transportation was not that we were going to improve the highway system, the maritime system, the aviation system. What we said was that the purpose of the Department was to do primarily

two things: One was to improve the total transportation system in the country, and we made it very clear that this definitely included urban transportation. The second was to create a focal point for relating transportation to the environment in which it operates.

Now, 70 percent of our people live in cities in this country today, in metropolitan areas. They are the ones who constitute the major part of that environment.

As to the question of allocation of resources within the Department, this is something that Sam Hughes ought to be discussing instead of me; but the fact of the matter is, if you will recall how the Department was established, the Office of Secretary contains functional elements. It does not have any champions for airways, highways, waterways, or anything else. We are set up to try to deal with the total transportation system.

I can tell you that I have spent more time on urban transportation than on any single thing since I have become the head of the Department.

Mr. HUGHES. Two points, Mr. Rosenthal. First of all, the improvement of transportation, as I see it, is improvement in terms of its capacity to serve people. It should be a servant and not a master. It seems to me that goal was both implicit and explicit in the establishment of the Department.

Secondly, with respect to the question of choice here, mass transit versus highways versus other options, the Secretary, as he has pointed out, has structured the Department in a fashion which enables him to make these choices on as objective a basis as we people can make them.

It seems to me the choices are almost inevitably going to be better within the transportation field if mass transit is one of the competitors in the picture within the Department of Transportation.

Certainly the choice-making process is not improved by having mass transit off in left field. Rather, the fact that it is a component part of the Department and thereby impresses itself on the Secretary's consideration and to an extent certainly on congressional consideration as one of the alternative means of moving people from here to there within the city—that objective is much more assured by the plan than under present arrangements.

Mr. BOYD. If you will not hold it against me, I will point out that urban mass transportation is not altogether rail transportation. There is a lot of mass transportation moving on the highway system. It seems to me that there is some intelligence in trying to get the concept of dealing with urban mass transportation in the same place you have the concept of designing and building the highway.

Mr. ROSENTHAL. In some areas, for example, Long Island, N. Y., you could build highways forever and in vain—you know the Long Island Expressway was outmoded the day the concrete dried. We can't build any more highways. We have to develop a new type of transportation. More highways in and around that type of a city won't do any good.

Mr. BOYD. That is quite right, and that is why the city or the urban complex must be the one to decide what its requirements are. New York City doesn't go very far west of the Hudson River. There are an awful lot of cities in this country who do need highways and who do want highways. New York doesn't want them, can't use them. That is fine.

What we are trying to do is to deal with the proper set of require-

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?

Mr. WOOD. In effect I think it would.

Mr. ERLBORN. I wonder if Secretary Boyd could answer that?

Mr. BOYD. Yes, sir; I will be glad to.

We are working out an agreement between our two Departments which would provide that in matters of this particular nature, the certification by HUD is a part of the approval process.

Mr. ERLBORN. It is a requisite, then?

Mr. BOYD. Yes, sir.

Mr. ERLBORN. If HUD should want to veto because of the lack of planning, it would have the authority to do so under the plan or under your agreement?

Mr. BOYD. Under our agreement.

Mr. ERLBORN. It is not clear under the plan.

Mr. BOYD. That is right. It will be under the agreement. I think the question really would be whether or not there was a comprehensive plan. This is up to HUD to say. I am sure if the city of Chicago came in with an application and HUD said, "You don't have a general plan," that the city would probably want to appeal. I think the thing would work out in practice this way. We would sit down with HUD and they would indicate what was lacking. We would say, "All right, Chicago, these are the conditions. You go out and do this, that, and the other. Then you will have a plan, and then you can come back."

Mr. WOOD. Hopefully, before that specific situation would have occurred, we would have provided assistance to Chicago and the Chicago metropolitan area as to the development of a planning process and planning mechanism, and we would have, in concert with DOT, identified the institutional arrangements we wanted to work with. So, it would not be in this sense simply establishing criteria or a requirement; it would also be in a capacity in which HUD would be able to assist.

Mr. BOYD. I think actually there would be little question of Chicago or any other city submitting an application unless they did have a plan because we expect to be able to advise all the cities what the requirements are going to be. Both Departments are dedicated to the same proposition. We are not going to play games with the cities. We are going to try to lay out for them in terms of standards and criteria what they have to do in order to qualify, not only for transportation but for other programs.

Mr. ERLBORN. As a matter of fact, they already have to do this whether the authority is in HUD or DOT. So, the cities are familiar with this process.

Mr. BOYD. Yes, sir.

Mr. ERLBORN. There would be no drastic change here in the process. They would have to do their overall planning and have that approved before specific projects could be approved, just as they do today, right?

Mr. BOYD. That is right.

Mr. HUGHES. Mr. Erlenborn, I think for the record, you will notice that the plan itself refers to the joint establishment of these criteria referred to in the first sentence of section 4(a) of the Urban Mass Transportation Act. I refer to this because it does provide a statutory handle, if that is what you are looking for, for the Secretary of HUD to be in the act.

The section 4(a) says no Federal financial assistance shall be provided, and so on, unless there is a determination by the Administrator that:

The facilities and equipment for which the assistance is sought are needed for carrying out a program, meeting criteria established by him, for a unified or officially coordinated urban transportation system as a part of the comprehensively planned development of the urban area, and are necessary for the sound, economic and desirable development * * *

I think there is a sound statutory base as well as an administrative basis for the involvement of the Secretary of HUD in this process.

Mr. ERLBORN. I probably should have started my questioning by saying that I favor the plan, and as you may recall, one of the questions we had on this side of the aisle when we were considering the creation of the Department of Transportation was this particular authority over urban mass transportation.

As I recall, I think it was Mrs. Dwyer who offered the amendment which required the year's study and a decision to be made. I am happy the decision has been made in this way because I think transportation in the city has to be a coordinated thing. It must be coordinated with all modes of transportation leading into the city. Highway planning and mass transportation planning by rail have to be coordinated and can very well be done in Chicago by using the same facilities—the median strip of the highway for rail transportation which I think was an excellent idea, one that can be and probably will be followed throughout the country.

Mr. BOYN. I would like to say, Mr. Erlenborn, the Federal Highway Administration, which has the Bureau of Public Roads in it, is doing everything in its power to encourage the States when they purchase lands for urban freeways to purchase enough land for rail transit in the median strips.

We have considerable success with this. It has to operate together.

Mr. ERLBORN. I think it makes good sense.

Under this plan apparently the authority under section 1606 of the Mass Transportation Act will be transferred to DOT. This has relationship to relocation requirements and payments. Wouldn't this particular authority be more closely related to the work of HUD than DOT? What working relationship will there be in this instance, and why wasn't the authority retained in HUD?

Mr. HUGHES. I think as a generalization, Mr. Erlenborn, the relocation payment authority traditionally, and in statutory terms, has been associated with the affected program. It is in that context that it has been moved with the program from HUD to DOT. We are striving for broader treatment and more even-handed treatment within the Government of relocation expenses and standardizing the requirements among the various programs. But I think relocations occurring because of, for instance, highway construction or mass transit construction must in some way be associated administratively with the actions that cause the relocation.

Mr. ERLBORN. They must practically be associated with urban planning as well.

Mr. HUGHES. That is correct. Of course, the city's plan for transportation, again getting into the complexities of life here, must envisage the relocation of these people and part of it must be a plan for handling that action.

Mr. WOOD. But on the operational side, it would be difficult for HUD to be in the position of taking on relocation responsibilities for projects in which it could not determine the schedule or set the magnitude thereof.

Mr. ERLBORN. What cooperation can you see being developed between the two Departments?

Mr. WOOD. I think we will be able to relate the impact of these kinds of projects on dislocations of people as well as changes in land uses in the earlier planning stage, and, therefore, blow the whistle on clear and evident problems in terms of housing markets and vacancies.

I think the scheduling of the operation of individual adjustments will be better handled in operational terms.

Mr. BOYD. What we are trying to do is to establish relocation as a condition precedent in all of our transportation projects instead of having it dragged along as something you have to do. We are trying to assure that the problems of relocation are fully considered in the public hearing required on current transportation programs and projects under the Department's current jurisdiction.

Mr. ERLBORN. As is always true in these reorganization plans, the plan itself does not go into all the details of the cooperative arrangements between the two agencies involved, and you have already referred to some agreements that you are working out. What will be the nature of these, a memorandum of understanding between the two Secretaries?

Mr. BOYD. Yes, sir.

Mr. ERLBORN. Do you have a draft of that now?

Mr. BOYD. No, we do not. We have a lot of work going on in different committees. I am convinced that one of the first things we have to do is to develop a glossary of terms. This area is so complicated that it is very difficult to be sure exactly what we are talking about when we get down into the details of things. I think both Secretary Weaver and Secretary Wood and I are pretty well satisfied that our staffs are working along in a cooperative and affirmative fashion and that we will have a memorandum of understanding by the time the transfer becomes effective.

Mr. ERLBORN. I might request at this point that when that is prepared that a copy of it be furnished to the committee, because I think it is an integral part of the plan. It will answer, I am sure, some of the questions that we have that may not have been fully answered in the hearings.

Mr. HUGHES. I think the chances are it will be published in the Federal Register.

Mr. ERLBORN. I have three questions here that I would like to propound at the request of Senator Javits. Apparently there will not be any hearings on the Senate side on this plan, and he has asked that these questions be asked and answered so we will have them in the record. Any one of you are free to answer these, or all of you.

What role will be reserved to the Department of Housing and Urban Development so that it will be enabled "to assure that urban transportation develops as an integral component of the broader development of growing urban areas"?

I think that quote is taken from the Department of Transportation Act, or it is close to the wording of the act.

Mr. HUGHES. We can furnish something for the record. Much of the discussion thus far this morning is directed toward this point.

Mr. WOOD. I would only indicate on that, just to summarize what I think the questions have been, that the comprehensive planning responsibility and the development and certification as to the adequacy of transportation plan in general is one aspect of the role; second is the review and commentary in terms of important individual projects; third is the development of the criteria to assure us that the planning is not simply blue sky but it has effect in the decisionmaking process. It is clear that in one way or the other we will have to improve our planning capability over its present strength and orientation, but that I think is the major resource we look to at the present time.

Mr. ERLBORN. Secondly, when and how will the Secretary of Housing and Urban Development determine that given transportation projects "concern the relationship of urban transportation systems to the comprehensively planned development of urban areas"?

I think that quote is taken from the plan itself.

Mr. HUGHES. I guess I have a little trouble in my own mind separating that from the prior question, Mr. Erleborn.

Mr. ERLBORN. I think they are certainly related. I think it probably has been answered in response to my first question, as to whether there is veto power over an individual application for transportation grant. An application would have to be reviewed and would have to be based upon a comprehensive plan that would have to be approved.

Mr. HUGHES. It would have to conform to criteria for which the Secretary of Housing and Urban Development and the Department of Transportation share responsibility.

Mr. ERLBORN. The suggestion has been made that you expand upon the answers to these questions in written form, and it might be helpful if you send it directly to Senator Javits and also for the record.

(The answers to questions posed by Senator Javits follow:)

ANSWERS TO QUESTIONS POSED BY SENATOR JAVITS

Question 1. "What role will be reserved to the Department of Housing and Urban Development, so that it will be enabled * * * to assure that urban transportation develops as an integral component of the broader development of growing urban areas'?"

Answer: The two Departments have agreed on several principles and procedures which will assure an effective role for HUD:

(a) The Federal responsibility for assisting and guiding areawide comprehensive planning (including comprehensive transportation planning) by local communities resides in HUD. Criteria for urban transportation system planning is to be developed jointly by HUD and DOT.

(b) HUD will advise DOT whether there is a program for a unified urban transportation system as part of the comprehensively planned development of the area. This would include the adequacy of the planning process. The HUD advice would be a prerequisite for DOT making the findings required under sections 3(c), 4(a), and 5 of the Urban Mass Transportation Act and the findings required under section 134, title 23, of the Highway Act of 1962.

(c) DOT has the responsibility for determining whether individual projects are needed for carrying out a unified urban transportation system as part of the comprehensively planned development of the urban area. However, the memorandum of understanding now being developed by the two

Mr. Boyd. I will be glad to elaborate on this with a written answer; but I would say we are presently involved in the first step which is a systems analysis program involving all of the Federal transportation programs. Our basic structure, as I mentioned earlier, in the Office of Secretary is along functional lines. For that reason, we think we have already the basic mechanism for coordination among the different modes which is necessary to a balanced and integrated transportation system.

We are continuing to examine the relationship of urban mass transit within the Office of Secretary structure; and, while it may be that we need to make some shift of responsibility, I don't see, you see, anything

Mr. BLATNIK. Mr. Edwards. I have got on my white

Mr. Edwards. Thank you, Mr. Chairman. I have just a few

hat today, too. It is good to have you gentlemen here. I have just a few

questions that perhaps will clear up the record a little better.

As I understand it, the applications for funds or grants for mass transportation will be made to the Department of Transportation.

Mr. Boyd. Yes, sir.

Mr. Edwards. And the Department of Transportation will not act

until it has a certification from HUD that the plan is appropriate.

Mr. Boyd. That it is related to a comprehensive urban plan.

Mr. Edwards. If it is, then DOT will proceed further?

Mr. Boyd. Yes, sir. I should say that in our memorandum of under-

standing we have already made it clear on both sides that we will keep

HUD advised, even on the project applications, of just what is in-

volved.

Mr. Edwards. You will have counterparts in both Departments in

continuing communications on all applications and activities as a mat-

ter of fact, won't you?

Mr. Boyd. Yes, sir.

Mr. Edwards. This, then, will meet the requirements set out by Mr.

Hughes that we not require these cities to look to two agencies or two

departments or more than two in this particular field?

Mr. Boyd. That is correct.

Mr. Edwards. The problem I experience is that all these kinds of

things look good on paper but when the local community starts mak-

ing its application—in my case they go up through Atlanta—delay

seems to be the name of the game. I am wondering if this is going to

materially change that situation?

Mr. Boyd. Without knowing of the specific situation to which you

advert, I can't give you an answer.

We are doing our best in both Departments to act on applications

in an expedited manner. It is very, very hard to discuss this in the

abstract. It is easy to go back on a specific application.

Mr. Edwards. I understand that, and I am not trying to get you too

specific. The problem, as I see it, is we hold out to the cities our arms

wide open, we are going to help you, and HUD is a primary agency

that deals with the cities in our areas across the country, and in many

cases it is hard to sell some of these Federal programs in any part

of the country, so the city administrations get up their nerve and they

proceed with one of these things only to get to Atlanta and run into

brick walls of varying degrees of thickness. I am just wondering if

there is any way to speed up that end of it.

Departments will include arrangements under which DOT will first secure recommendations from HUD in the case of those projects having a significant impact on the planned development of the urban area.

(d) DOT will utilize HUD in the review of annual work programs developed by State highway agencies under section 807(c) of title 23, insofar as these programs have an impact on comprehensive planning in metropolitan areas. HUD will also have an opportunity to review planning proposals and reports prepared by planning bodies in metropolitan areas. DOT and HUD will develop jointly the standards and guidelines for these reviews.

(e) DOT and HUD will develop jointly the criteria for federally assisted urban transportation system planning.

(f) The memorandum of understanding will provide that DOT secure HUD concurrence in the criteria for relocation planning made necessary by urban mass transportation projects. DOT plans to provide HUD at an early date first reviewing the HUD recommendations.

Question 2. "When and how will the Secretary of Housing and Urban Development determine that given transportation projects * * * concern the relationship of urban transportation systems to the comprehensively planned development of urban areas?"

Answer: This question relates to the authority reserved to HUD in sections 6, 9, and 11 to carry out research, development, and demonstration activities and the coordinative procedures to be followed by the two departments. The departments have agreed to develop, jointly, a program of projects and priorities for urban-related transportation research, development, and demonstrations. HUD will be concerned especially with (1) those portions of the program designed to reveal or evaluate the impact of transportation on urban areas and to delineate those general characteristics of transportation systems expected to have an important impact on the urban environment; and DOT, with (2) those portions which deal with component, subsystem, and system development, engineering and testing. This will normally mean that DOT will have primary responsibility in the area of "internal systems and program effects and requirements," HUD having primary responsibility in the area of "external personal and community effects and requirements."

Question 3. "What steps will the Secretary of Transportation take to insure a balanced Federal transportation program so as to permit the establishment of a balanced Federal transportation program and, within each of our metropolitan areas, integrated transportation systems?"

Answer: The first step, the establishment of a systems analysis program involving all elements of transportation, has already been taken by DOT. Its Office of Systems Analysis, under the direction of the Assistant Secretary for Policy Development, is responsible for analyzing the characteristics, capabilities, and limitations of alternative transportation systems, and comparing and recommending transportation systems to meet national transportation requirements. Coordination of the Department's transportation programs is accomplished within functional lines, each major function being headed by an Assistant Secretary. These Assistant Secretaries are charged with coordinating across the modal lines represented by the various administrations of the Department. Thus, a particular transportation policy or program issue is reviewed within the Office of the Secretary from a total transportation viewpoint, not from the viewpoint of a single mode such as highways, aviation, or rail.

In connection with the transfer of the urban mass transportation program, reorganization is anticipated. While there may be a need to make some adjustments, no major take to insure that the transfer of the urban mass transportation program will bring about a coordination of all transportation programs so as to permit the establishment of a balanced Federal transportation program and, within each of our metropolitan areas, integrated transportation systems?

Mr. ERLINBORN. What steps will the Secretary of Transportation

Mr. HUGHES. I have two comments, Mr. Edwards.

First, as Secretary Boyd indicated, we are, at Presidential direction, making a kind of an across-the-board effort to reduce application processing time wherever we can and particularly in some of these agencies that are dealing with the complex problems that we are talking about. That effort has been successful.

I can furnish some evidence of that success for the record, if you would like. Whether it meets your specific problem or not is speculative. But we are certainly aware of the general problem, and something is being done and progress is being made with or without the transfer. But there is an ultimate fact here that is rather important, and that is the fact that these are very complex matters.

Urban planning is a complex process, and time is part of that process. Notwithstanding these complexities, we are managing to spend a fair amount of money; that is, grants are being made with relatively reasonable time limits and disbursements are taking place.

I think it would be unfair to look to the Department of Transportation as really working toward a 10-day schedule on some of these things or for that matter, perhaps, a 10-month schedule.

Mr. EDWARDS. I think the problem is, as one of you gentlemen said earlier, the cities' plan, and yet the cities learn to their great dismay early in the game that generally whatever they plan is not acceptable.

So in the final analysis, it turns out to be the Federal Government's plan.

Mr. BOYD. If I may say, sir, one of the problems gets back to what Sam is talking about on urban planning. It is a very complex business and, unfortunately, there appears to be a shortage of people in this country who have the training to do urban planning. There is a lot of it being done, but we are desperately shorthanded in this area. Part of the problem from some of the things I have seen in my own Department is that we get applications from people who haven't even read the regulations to find the criteria they have to comply with. These come directly from the statutes. It is not really a matter of saying this is going to be the Federal Government's plan, except in the sense that Congress has enacted laws which set forth various criteria and we implement them through regulations.

Mr. EDWARDS. It is the implementation with which I am concerned.

Mr. WOOD. I would have two observations to make to put into perspective the relationships between the cities and the States and the Federal Government right now.

One of the things that astonished me when I came on board a little over 2 years ago was—it was only 29 months ago—that HUD's predecessor agency had a short time before found itself in the position in which the demand from the cities for urban renewal funds was less than the available appropriation at that time. Yet, at this time, we sit with well over \$1.5 billion backlog in urban renewal, with the sum even larger than that in our community facilities programs and with a general situation in which even though we have requested an increase in our budget of about 50 percent against clear community demand we are behind.

So the load has come up, and I think we all have to recognize that the last 2 years has been the coming of age in public and political recognition of the needs of our communities. We are in that transition period.

Hopefully, you could make a case that over and beyond the increased counterpart capability that Secretary Boyd talked about, communities getting familiar with minimal statutory requirements, the next few years are going to see us proceed as these programs and processes get more familiar in a better way.

One of the problems I have observed in the transportation area has been, of course, that frequently these projects are approved by the local government which tentatively arrives at agreements and then disinterest and opposition and disagreement occur at the local level. Perhaps by now developing a process of collaboration where the planning is fitted together earlier and the process of review and deliberation begins earlier we will be able to have a smoother course. That is at least one of the underlying premises of our arrangements.

Mr. ERLBORN. Will the gentleman yield for just a moment?

Mr. EDWARDS. Yes.

Mr. ERLBORN. Right in line with your questioning, it reminded me of one of the experiences we had in one of the cities in my district which had an opportunity to purchase an existing golf course which was on the market to be sold for development as a housing area, a new subdivision, and the city felt that it was more desirable to keep the open space.

Apparently at the time they made the application it was the policy of HUD to grant funds for this purpose. After they entered into the contract to purchase the golf course and made their application, the policy of HUD apparently changed and the funds could be used only to acquire space to develop as golf courses but not to purchase already existing golf courses.

So, they found themselves with a commitment. They lost a good deal of money. I think the golf course has since been sold and will now be developed for a new subdivision. It is this sort of thing that is rather disconcerting to the cities.

Mr. WOOD. They have spoken to me on several occasions.

Mr. ERLBORN. I think so.

Mr. BOYD. May I say this, Mr. Edwards, one of the things that we have done in the Department of Transportation, and it is probably being done in others, too, is to establish in our Office of Public Affairs an Office of State and Community Liaison.

Mr. WOOD. We have that.

Mr. BOYD. We have about a third of the people we thought we needed going around personally making contact with Governors, mayors, county commissioners, and so forth to advise them on what the Department's programs are, and to try to sort of "mother hen" the applications they have coming to the Department of Transportation.

So we have a direct line of communication. When something gets snagged, they are suppose to be able to pick it up.

Mr. EDWARDS. Let me go back to a few more specifics on the plan itself.

The plan reserves to the Secretary of HUD the authority to make grants and undertake projects under section 1605(a) having to do with research, development, and demonstration projects, and 1607(a), technical study, and 1607(c), research and training in institutions of higher learning, where these grants or projects concern transportation planning.

I wonder if the Secretary of the Department of Transportation ought not to be consulted on these types of grants as a better means of coordinating the transportation with urban development.

Mr. BOYD. We are in complete accord with this reservation, and we expect to be consulted.

One of the things we will work out in our memorandum of understanding is exactly how we keep this flow of information going back and forth between the two Departments. We haven't got that organizational aspect tied down yet, but we fully expect, and we understand, that we will be fully informed of all the activities of HUD in this area, just as we expect to keep them informed of all of the activities of transportation which impinge in any way on the urban society.

Mr. EDWARDS. So, you are aware of this and you are looking to this problem in your memorandum of understanding?

Mr. BOYD. Yes, sir.

Mr. EDWARDS. Would the same be true of that part of section 1605 (b) where the Secretary of Transportation is given the authority to undertake research and development, demonstration projects relating to urban transportation that will carry people and goods within metropolitan areas without polluting the air and in a manner that will contribute to sound city planning?

I presume that you will also work together on that, then?

Mr. BOYD. I think, if I may say in one fairly short sentence, we have a complete agreement and meeting of the minds that our functions are complementary and not competitive, and we expect to proceed on that basis.

Mr. EDWARDS. I think that is a reasonable way to do it. I think we ought to agree you can't write everything into the original plan.

Under the Demonstration Cities Act HUD can grant funds to cities to plan and develop and carry out comprehensive demonstration and development programs including transportation facilities.

How will this be administered after the reorganization?

Mr. WOOD. Essentially, the progress we established that was for the model cities program has been one of the collaboration among the agencies involved, the Federal agencies involved from the beginning. Plans developed by the cities or their model neighborhoods that have components, grant programs or that have activities that fall under the missions of other departments are immediately referred to those departments for review.

Interagency coordinating arrangements have been, I think for over a year, in effect here. We expect that any aspect or component of a model city plan that bears on the responsibilities of DOT, if it is part of the supplemental funds, it doesn't require financing by them for information and reaction; if it is part of an agency's funds, that will require assistance on their part, for their funding.

Mr. EDWARDS. Pursuant to the summary of HUD and DOT positions on major reorganization plan issues, that was dated February 19, I believe, the Department of Transportation apparently intends to grant to the Housing and Urban Development Department the authority to pass on the adequacy of highway planning.

It also appears that HUD's recommendations will be considered by DOT as a formal step in determining whether highway projects are needed or essential to carry out a unified and coordinated transporta-

tion system as a comprehensively planned urban and development program.

What legal authority exists for conferring this authority on Housing and Urban Development?

Mr. HUGHES. You are talking of the report, the February 19 report?

Mr. EDWARDS. Yes, sir.

Mr. HUGHES. There are a variety of potential sources of authority, Mr. Edwards.

First of all, the Department of Housing and Urban Development does have comprehensive planning and plan approval authority, and the authority to make grants for these purposes.

There also is the possibility within the framework of that statute and the existing Department of Transportation authorities to do business with other agencies and for that matter with private entities, the possibility of contractual arrangements or delegations, reimbursible or otherwise, between the two agencies.

It seems to me the basic authority involved here is that statutory authority which HUD has under broader statutes, not under urban mass transit, and, therefore, it is not related to this plan per se. Rather, it is basic authority for the development of comprehensive urban plans and for rendering assistance to communities to achieve those results, Mr. BOYD. There are provisions in section 204 of the Model Cities Act and also section 134 of the Model Highway Act which require coordination in these areas.

Mr. BLATNIK. There is still going to be a problem, isn't it, Mr. Secretary or Mr. Hughes? It is not clear how you would coordinate mass transit with your urban and highway department which is tied in with the State highway plans.

You have a continuing planning program on the State highway program; don't you, Mr. Secretary?

Mr. BOYD. Yes, sir.

Mr. BLATNIK. But you don't have a continuing program of planning on your mass transit or urban highways; do you?

Mr. HUGHES. The Urban Mass Transportation Act itself does provide and require the development of plans which properly integrate urban mass transportation with other urban transportation. That authority would go under the terms of the plan, to the Secretary of Transportation.

Mr. BLATNIK. Who makes the final determination at what point these urban plans will be initiated or readied? Can they take their own sweet time about it even though the State highway department is waiting?

Mr. HUGHES. The Secretary of Transportation would make the final determination after consultation with the Secretary of HUD and in accordance with general criteria that were jointly developed. But the Secretary of Transportation would be the decider.

Mr. WOOD. The coordination between the general planning and the transportation planning is a role that would be precedent to individual projects and in the ones Mr. Hughes has indicated we have generalized authority as well as those that Secretary Boyd specified.

Mr. BOYD. Under section 134 of the Federal Highway Act, all cities of 50,000 or over are required, after July 1, 1965, to have a continuing comprehensive transportation planning process in order to qualify for

Federal aid to highway projects. I believe there are 230-odd cities in the country who come under that category. All of them have, or are in the process of establishing, that comprehensive transportation planning structure which HUD will look at in terms of how it relates to comprehensive community planning.

Mr. BLATNIK. My fear is sort of different. I am a little different from the gentleman from New York.

There are some decisions that have to be made in the urban planning area which could impede and hold up mass transit and highway programs together. You would still be the final determining agency which should definitely have a voice.

In other words, my question is not at all doubting the intent or the good will but the mechanism which you are going to run up vertically through channels, horizontally at the top, and then several ranges of horizontal and vertical lines of communications on the State and the municipal level.

You can have a plug, you know, and you have to have some kind of Roto-Rooter system, some guarantee that you can unplug one of these channels at some point so you can have this free flow back and forth.

Mr. HUGHES. I think some combination of the Secretary of Transportation with the local community, perhaps with some special interest by some friendly Member of Congress would be the Roto-Rooter that you have described.

Mr. BLATNIK. It has been happening here all the time. I was thinking back 8 years ago when mass transit should have been operative here; how mass transit should have been integrated and coordinated with the whole highway system, the beltline, inner and outer loop, plus land use development programs. But there was the nature of the municipal government.

Mr. HUGHES. I think that problem remains. I think the plan should help the problem in that it does centralize the transportation part of the planning in the Secretary.

It is easier to focus on one department than two. But there will remain the local problem which is the one you are talking about in the District of Columbia, the local problem of deciding where the highways ought to go and the relationship between highways, mass transit, and other forms of transit and other urban systems.

Mr. BOYD. Mr. Wood just commented a few minutes ago that it is only very recently that there is a general appreciation of what the problems of the cities are. I think that we are reaching the stage where, due to the Federal programs to a considerable extent, and due to circumstances to a considerable extent, more and more people, and more and more officials are beginning to appreciate that you cannot deal with one of these systems in isolation.

Mr. BLATNIK. Right.

Mr. BOYD. This I think is going to help speed up the whole process because we are getting closer to being on the same frequency. The Federal Government has really been ahead of city planning generally, although this is not true in some particular cities. But by and large there has been an appreciation at the Federal level before it came to the local level.

Now I think the local people are beginning to appreciate that these are all tied together and they have got to come forward together for Federal assistance.

Mr. EDWARDS. You gentlemen, then, are clear in your own minds that this transfer will clear up a lot of the problems. While some things seem to be hazy to us as to how it is going to work, you and your staffs are working to iron out these areas right now, and you are convinced that by the time the plan goes into effect that everything will be clearly drawn and the community will know who to go to and this information will be transmitted to the communities?

Mr. BOYD. Yes, sir. I don't think any of us mean to imply that everybody is going to live happily ever after, because this is a very complicated business.

Mr. EDWARDS. I never saw a Federal program yet where everybody lived happily ever after.

Mr. BOYD. We will have a clear-cut idea of how we are going to handle the thing. As we go into it, we will obviously have to keep it under review, so that when we find that there are things which neither of us have considered, or where circumstances develop differently than we thought they would, we will have to change. But we will be prepared to do that.

Mr. EDWARDS. What I am looking for is a program that will work without the need for, as Mr. Hughes said, your friendly Congressmen to get into the act. Many times we are brought into the act because of the great frustration of our local communities in trying to unravel some of these things. I hope you fellows are headed in that direction.

Mr. BOYD. One of the basic problems is that, for the foreseeable future, we are going to be in exactly the same position with mass transportation as we are with so many other programs. The need will far exceed the supply of money, and part of the frustration will undoubtedly come about because when you get into this area any department has got difficulty trying to figure out how to establish a level of priorities. It might be that first come, first serve is the way to do it, although that is a very arbitrary approach and it may not have anything to do with the requirements.

Mr. WOOD. Quite frankly, with respect to Mr. Erlenborn's comment about the golf course, a community caught in midstream we could have either acted on a first-come-first-served basis which would have backed up the pipeline, or we had to make judgments on priorities.

We made the judgments on priorities. We hope to be both responsive in communicating this, Mr. Edwards, and being able to perform better on our part by a systematic effort of decentralization. We in HUD have been engaged in this for 2 years to make sure that Atlanta can sign off faster on more projects and that review will be minimized here in Washington. That carries some built-in concerns with it.

We have to be able to oversee on a general policy basis our regional offices. But I think this may be another part of the answer.

Mr. EDWARDS. Thank you, Mr. Chairman.

Mr. BLATNIK. Mr. Reuss.

Mr. REUSS. Thank you, Mr. Chairman.

Gentlemen, I am concerned particularly in the Reorganization Plan No. 2 with section 3 of the act, to amend the Urban Mass Transporta-

tion Act of 1964 known as Public Law 89-562, which became law on September 8, 1966. That section which I shall read, reads as follows:

The Secretary—

And this meant the Secretary of HUD—

shall, in consultation with the Secretary of Commerce, undertake a project to study and prepare a program of research, development, and demonstration of new systems of urban transportation that will carry people and goods within metropolitan areas speedily, safely, without polluting the air, and in a manner that will contribute to sound city planning. The program shall (1) concern itself with all aspects of new systems of urban transportation for metropolitan areas of various sizes, including technological, financial, economic, governmental, and social aspects; (2) take into account the most advanced available technologies and materials; and (3) provide national leadership to efforts of states, localities, private industry, universities, and foundations. The Secretary shall report his findings and recommendations to the President, for submission to the Congress, as rapidly as possible and in any event not later than eighteen months after the effective date of this subsection.

Mr. REUSS. Under Reorganization Plan No. 2, would all of the sections I have just read be transferred from HUD, where it is now, to DOT? Perhaps Secretary Boyd can answer that.

Mr. BOYD. We have a split in section 6, Mr. Reuss.

Mr. REUSS. The section which I have just read is section 6(a) of the Urban Transportation Act of 1964, as amended. I beg your pardon, it is subsection 6(b).

Mr. BOYD. The study itself I believe has approached completion. It should be submitted fairly soon to the Congress as required.

Mr. REUSS. In fact, it should have been submitted on April 8, 1968, should it not? Isn't that 18 months after September? Or is it March 8, 1968? What about that, Mr. Wood?

Mr. WOOD. I'm not sure of exactly the time. I do know, Mr. Reuss, that it is in effect completed. The submission, of course, to the Congress, involves a process of Presidential and Executive Office review. I believe it is at that stage of completion.

Mr. REUSS. The language of the statute says, "The Secretary shall report his findings and recommendations to the President." Has he done that?

Mr. WOOD. He has.

Mr. REUSS. When?

Mr. WOOD. Within the last month is my recollection. I can get the specific date for you.

Mr. REUSS. May I have a copy of those findings and recommendations?

Mr. WOOD. I'm sure you can within the process, Mr. Reuss. I think the statute requires our submission to the President for subsequent submission to the Congress. That is not within my department.

Mr. REUSS. However, it was not intended by the Congress that the findings and recommendations of the Secretary of HUD should be secret.

Mr. WOOD. Of course not, and there is no intention for that.

Mr. REUSS. Therefore, may I have a copy?

Mr. WOOD. I'm sure you can.

Mr. BOYD. My impression is it is just a matter of clearance in the executive branch.

Mr. REUSS. I recognize there are two phases. The Secretary has to report to the President, and what the President does depends on the

Bureau of the Budget and a lot of other things. Certainly, the whole world might know what the Secretary told the President. Is there any reason why I can't have that right away?

Mr. WOOD. I simply would say there is no reason of substance. There is the process of established Executive Office review.

Mr. HUGHES. I don't know where it is, Mr. Reuss. We will see what the status of the plan is, and I'll do my best to deliver you a copy of the plan soon, very soon.

Mr. REUSS. Congress didn't say the Secretary shall report his findings and recommendations and they shall be kept secret until such time as the Bureau of the Budget or the CIA or somebody else tells it to make it public. It said, "The Secretary shall report his findings and recommendations to the President."

The whole statute was written so that the public might find out what the findings and recommendations were.

Mr. WOOD. I would say, if I could speak—I will separate the responsibilities of the executive branch, I will assign to that Mr. Hughes—but if I could speak for the Secretary on this, our firm desire within established executive branch practice, is to have a timely and widespread announcement and an appropriate submission of this report. We happen to be quite proud of the report. We believe it will have major consequences for future development and for the mutual concerns of both agencies.

So, the question is really the Presidential Office's clerk, not the Presidential Office's policymaking, which we are involved in here.

Mr. REUSS. When you said, Mr. Hughes, "I might have it soon," did you mean that in the George and Ira Gershwin sense, "Maybe not tomorrow, but soon?" How soon is soon?

Mr. HUGHES. I cannot tell you definitely. I don't know the status of the plan. I have not seen it myself. I will try to find out what the review status is. The statute says Secretary to the President and the President to the Congress, as I would read it, and I simply don't know what the status of presidential review of the document is. We are late in terms of the deadline set in the law, and I will ascertain the status and I will be in touch with you before the afternoon is over and tell you what the status is and what the schedule would be on which you could expect to receive the report.

Mr. REUSS. Let me say right now, though, that I know a little bit about this statute since I wrote it, and neither I nor I'm sure the Congress—it was fully debated—intended that this report should be secret until such future time as the President may wish to formulate a program based upon it. That may, unfortunately, be many months. Meanwhile, we wanted to see the work product of the Secretary of HUD. Isn't that so, Mr. Wood?

Mr. WOOD. I think so.

Mr. HUGHES. I think the statute is quite clear, and there is no intention that I know of to deal otherwise with the report.

Mr. REUSS. Back to the question of who would implement section 6(b), is that set forth in the document "Summary of HUD and DOT positions on Major Reorganization Plan Issues" which is before the subcommittee?

Mr. BORD. Yes, sir. That is the February 19 document?

Mr. REUSS. Yes.

Mr. BOYD. Yes, sir; page 7, section H generally covers it. The most relevant part I think is that HUD will be concerned especially with (1) those portions of the program designed to reveal or evaluate the impact of transportation on urban areas and to delineate those general characteristics of transportation systems expected to have an important impact on the urban environment; and DOT, with (2) those portions which deal with component, subsystem and system development, engineering, and testing. This will normally mean that DOT will have primary responsibility in the area of "internal systems and program effects and requirements," HUD having primary responsibility in the area of "external personal and community effects and requirements."

Mr. REUSS. I'm sure you can reassure me on one doubt I have about the plan which relates to what you just discussed. When Congress enacted on September 8, 1966, the section 6(b) which we are talking about, it wanted to centralize responsibility in one man in the administration below the President for coming forward with a program for whole new systems of transportation to get out of the ruts that we have been in for so long, and the idea was to take off from the experiences with the Manhattan district project on atomic energy during World War II and the space program.

Can you give me some reassurance that this reorganization plan won't depart from that intention of Congress and that the goal of section 6(b) will be vigorously pursued and by whom?

Mr. BOYD. Mr. Reuss, to use a phrase used by one of your colleagues this morning, the Department of Transportation has a commitment to carrying this research program through with all the resources that are made available to it; and, in that connection, I can assure you that the Department will make every effort to obtain all the resources which the report will recommend be made available.

Mr. REUSS. I am delighted to hear that, and it reassures me. Let's look, as we always must in these reorganization plans, to Departments of DOT and HUD headed by different people than those who now head them, and let's suppose in the future a situation where HUD didn't do its part of the total research and development job under the guidelines that you have just read. What would prevent the program from languishing?

Mr. BOYD. The program to which I referred is a program for new systems for the future. That program will be carried on by the Department of Transportation regardless of whether or not HUD involves itself in studies. The research activities of HUD have to do primarily with the impact of these systems.

Mr. REUSS. Yes, but that is an essential part of the new approach.

Mr. BOYD. I agree with you.

Mr. REUSS. You have to combine hardware and sociology, and in essence you are given the hardware, HUD is kept in possession of the sociology.

I have had your assurance that you will vigorously pursue your part, which is very gratifying to me.

Without any reflection whatsoever on HUD—and I believe HUD has done a magnificent job in its 18 months on the program—without any criticism at all of HUD, but based on a hypothetical future situation in which HUD doesn't do its sociology, I foresee some difficulties.

You just can't have a hardware approach. You are the first, I am sure, to recognize that you need both hardware and sociology.

Mr. Boyd. That is quite true. But I think we should look at it in this context, Mr. Ruess. We are talking about new systems, say, new hardware systems. It is going to be extremely difficult for HUD to do a job on impact until it knows what the system characteristics are. We have to develop first of all the technical feasibility of a new system as well as the economic feasibility before HUD can say this is what it really means to the city.

Mr. Ruess. I would hope you can do them in tandem and simultaneously.

Mr. Wood. If I can interject on the tandem point, I put a small footnote on your distinction between hardware and sociology. As a former political scientist, I would hate to be restricted just to sociology.

Mr. Ruess. Let's say the social sciences.

Mr. Wood. Also, very possibly in the impact area you are going to have some hardware connotations. There are other hardware systems that you can see meshing. There are some software considerations that I am sure DOT would want to examine.

I think the important point is with our general mission of urban development and our general charge, as Mr. Rosenthal indicated earlier, of better community environment and better urban life, it is inconceivable that we don't be eager to work in tandem on a new system of transportation that have so much impact.

Again, our only limitations will be the limitations of our resources which, as I stated earlier, I think we have to expand.

Mr. Ruess. I think this matter can be cleared up to my satisfaction with a couple more questions and answers.

I am sure you see, Mr. Secretary, what I am driving at. I wouldn't want a situation where some years from now, and with new personnel in both Departments, Congress feels that it hasn't gotten the kind of dynamic program that it looked for and it needs then to fix responsibility, and I wouldn't want a situation where the then Secretary of Defense could say we did our best but because HUD dragged its feet in the social science aspects that we are left with it, we haven't been able to get to the moon or to split the atom. Obviously Congress set up this statute because it did want to centralize responsibilities.

I will come to my question. If a situation should develop whereby HUD is in any way lagging either in timing or in quality on its part of the total program envisaged by section 6(b), would you undertake to inform the President and the Congress, assuming that you are still in the position at that time, so that we can consider other arrangements?

Mr. Boyd. I agree with Mr. Wood that this is inconceivable, but I can certainly assure you that where I have been unhappy with my colleagues in the past I have not been unwilling to discuss the matter with the responsible people in the executive branch of the Government.

Mr. Ruess. That is at least partially reassuring. Would you in this particular situation also be willing to discuss the matter with the relevant committees of Congress which I think would be the Government Operations Committee and whatever legislative committee is assigned to this? At present it is Banking and Currency.

Mr. BOYD. As to whether I would call up the committee and say I want to come up and complain, that is one thing.

Mr. REUSS. The chairman and the ranking majority member.

Mr. BOYD. I can assure you that if I testify before a congressional committee I will try to do it honestly and express my views in the most forthright fashion I know how.

Mr. REUSS. I know you would, but my question was would you undertake to inform the chairman and the ranking majority member of the two relevant committees of Congress if Congress' intent in the event is not being realized by reason of this splitting of the functions of the two?

Mr. BOYD. If that situation should occur, I would talk to the Secretary of HUD and tell him of my unhappiness. If that did not lead to any results I would go to see the President and tell him of my unhappiness. If I felt sufficiently strong about it, I would submit my letter of resignation to the President and then come and talk to the chairmen of the committees.

Mr. EDWARDS. I am sure the gentleman understands that that particular section gives the Secretary of the Department of Transportation the sole authority in this field. We talked about this I believe before the gentleman came in, and HUD is involved in it to the extent they will cooperate with the Department of Transportation.

As I understand it, the Secretary of the Department of Transportation has the sole authority, and it is not a matter of him looking to the Secretary of Housing and Urban Development to do anything.

Mr. BOYD. This really gets off on to the question of what is the effect on the community of a particular system. For example, it is obvious that there will be a different kind of effect on a community if we are able to develop a vacuum tube system which operates under the ground rather than a monorail system which operates above ground. This is an area where Housing and Urban Development would have a responsibility to try to calculate that effect.

Mr. EDWARDS. But operating directly under you, as I understand the transfer of the authority?

Mr. BOYD. No, they would not be operating under us. This would be sort of a Plessy versus Ferguson, separate but equal operation.

Mr. EDWARDS. That doesn't work any more?

Mr. BOYD. It works in some cases. Just some don't seem to be satisfactory.

Mr. REUSS. I thank the gentleman from Alabama. I gathered that there was a degree of jointness here by reason of the reading of the February 19, 1968, document.

Mr. BOYD. I think that is set forth on page 7.

Mr. REUSS. I am satisfied, gentlemen, with the answer that Secretary Boyd has just given me to alleviate my fear that what's everybody's business would be nobody's business. It is quite clear from the colloquy—and I'm going to ask Mr. Hughes and Mr. Wood whether they agree—that the Department of Transportation understands itself as being primarily responsible for the implementation of section 6(b) to the extent that a joint responsibility is left in HUD. Secretary Boyd has indicated that he would take it as a DOT concern that HUD exercise satisfactorily its discharge of that joint responsibility. So, in essence, Congress can look to the Department of Transportation just

as, prior to this reorganization plan, it looked to HUD as the unified single source of responsibility. Is that a fair statement?

Mr. BOYD. Yes, sir; I think so. I think it is also a two-way street. I would expect HUD to manifest a concern.

Mr. REUSS. May I ask Mr. Hughes and Mr. Wood whether they agree or if there is anything that they disagree with in this colloquy?

Mr. HUGHES. I certainly have no difficulty with your formulation of the proposition, Mr. Reuss, and I would only add to it that we in the Bureau of the Budget have a responsibility here to keep the two portions of the executive branch in step with one another.

Mr. WOOD. I would simply add, Mr. Reuss, not only my concurrence with these general agreements, my belief that any future Secretary or Under Secretary of HUD who found DOT not performing in its judgment effectively in terms of its part of these responsibilities would have the same obligation as Secretary Boyd outlined to assure that a genesis team developed, and then on the basis of the February 19 document—we understand we do have the responsibility of the impact studies—we will take them seriously.

Mr. REUSS. Thank you, Mr. Chairman.

Mr. ROSENTHAL. Secretary Boyd, there was one response that you gave to Mr. Reuss that perplexes me somewhat. You said that your Department would be responsible for developing the hardware and the scientific and technological advances for urban mass transit or transportation, and you would rely on HUD or some agencies within need criteria, et cetera. Why is it that HUD or some agencies within the Federal Government can't deliver to you the requirements of urban transportation needs? They tell us these are the things that need to be developed; then, you go out and develop the hardware rather than developing the hardware and impressing those on the needs of the city.

Mr. BOYD. I don't look at this as pressing anything on the cities. Mr. ROSENTHAL. Impressing was the word.

Mr. BOYD. Impressing. First of all, I want to get back to what I think is basic, Mr. Rosenthal, and that is the cities are different. Manhattan can't use the same kind of transportation system that Kansas City is using. I believe that, I may be wrong, but just by way of example. Certainly, if any city can come up and say these are our requirements, then, we can try to tailor something to their requirements. I doubt seriously that any city today is in a position to say "these are our requirements," because they don't know what is within the realm of technical feasibility. It is more than a matter of technical feasibility. I take it that our society can build anything. As Mr. Reuss said, we developed the atomic bomb and we have been able to put a man in space. I think, given the resources, we can build anything.

The question really is going to get down to how much money is going to be made available to build a system and will that comport with what the city says it wants.

Mr. ROSENTHAL. Which comes first, developing a system to meet those needs or independently developing a system and then finding out which cities can use it?

Mr. BOYD. I don't think there is anything independent about it, Mr. Rosenthal, nothing. I was purely and simply using a manner of speech when I said we would have to find out what the technical possibilities

are. We will have to do this in a complimentary fashion. It may well be that in time we will be able to develop a vacuum system. It may well be that the vertical lift aircraft development will be such that it can be a portion of the mass transportation requirements of the city.

It may well be that we can develop dual mode vehicles that will operate from a person's garage to a track and a guideway, and things of that nature.

These things have got to be worked out together. Certainly, if the city decides that over here it wants to have a single-family dwelling area on one acre plots of ground, you're not going to put a subway system in there, because you don't have the population density to support a subway system. It all has to work together, but somebody has to be able to tell the city these are the kinds of systems that can be developed, at what cost, with what noise impact, with what air pollution impact, with what vibration, and so forth.

Mr. ROSENTHAL. Under the proposed plan, the St. Lawrence Seaway development is going to have the same status as urban transportation and development.

Mr. BOYD. Not under the proposed plan. This was under the legislation enacted last year. There was an insistence that it have the same status as the other administration. That is part of the law.

Mr. ROSENTHAL. Do you have any personal feelings as to whether there should be any changes in the legislation?

Mr. BOYD. We are not seeking any changes.

Mr. ROSENTHAL. Just one other question, Mr. Chairman. What is happening with the high-speed train between Washington and New York?

Mr. BOYD. Well, it is not going as fast as we thought it would.

Mr. EDWARDS. Do you mean the train or the project?

Mr. BOYD. The project. The train is. We have some technical problems. I had a meeting last week with the various people involved in this, the car manufacturer and the component manufacturer, as well as the railroad. We have a technical assessment underway at the moment. We think all of the problems have been identified, and if they have, they are capable of fairly ready solution.

Mr. ROSENTHAL. When can we expect that kind of service?

Mr. BOYD. Well, I have been burned twice on my pronouncements, but I think during the course of this year.

Mr. ROSENTHAL. Thank you, Mr. Chairman.

Mr. BLATNIK. If there are no further questions, we thank you gentlemen. The hearings on the Reorganization Plan No. 2 are concluded and the meeting is adjourned.

(Whereupon, at 12:23 p.m., the subcommittee was adjourned.)

1. The first part of the report deals with the general situation of the country and the progress of the work during the year. It is divided into two main sections: the first section deals with the general situation of the country and the progress of the work during the year, and the second section deals with the specific results of the work.

2. The second part of the report deals with the specific results of the work. It is divided into three main sections: the first section deals with the results of the work in the field of agriculture, the second section deals with the results of the work in the field of industry, and the third section deals with the results of the work in the field of commerce.

3. The third part of the report deals with the conclusions and recommendations. It is divided into two main sections: the first section deals with the conclusions and the second section deals with the recommendations.

4. The fourth part of the report deals with the appendix. It contains the following information:

- a. A list of the names of the persons who have taken part in the work.
- b. A list of the names of the persons who have given assistance.
- c. A list of the names of the persons who have given advice.
- d. A list of the names of the persons who have given information.
- e. A list of the names of the persons who have given help.
- f. A list of the names of the persons who have given support.
- g. A list of the names of the persons who have given aid.
- h. A list of the names of the persons who have given assistance.
- i. A list of the names of the persons who have given advice.
- j. A list of the names of the persons who have given information.
- k. A list of the names of the persons who have given help.
- l. A list of the names of the persons who have given support.
- m. A list of the names of the persons who have given aid.
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- o. A list of the names of the persons who have given advice.
- p. A list of the names of the persons who have given information.
- q. A list of the names of the persons who have given help.
- r. A list of the names of the persons who have given support.
- s. A list of the names of the persons who have given aid.
- t. A list of the names of the persons who have given assistance.
- u. A list of the names of the persons who have given advice.
- v. A list of the names of the persons who have given information.
- w. A list of the names of the persons who have given help.
- x. A list of the names of the persons who have given support.
- y. A list of the names of the persons who have given aid.
- z. A list of the names of the persons who have given assistance.

APPENDIX

U.S. CONFERENCE OF MAYORS,
Washington, D.C. March 27, 1968.

HON. WILLIAM L. DAWSON,
*Chairman, Government Operations Committee,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reference to the President's reorganization plan transferring certain mass transportation functions from the Department of Housing and Urban Development to the Department of Transportation.

As president of the U.S. Conference of Mayors, an organization of Mayors of the Nation's cities having populations greater than 30,000, I feel it's of primary importance of the Congress to understand the local governments' viewpoint on this important Federal program.

We do not feel it appropriate to comment on the President's departmental assignment of Federal programs, we do feel that it is imperative to discuss program direction and content. Transit systems are at the heart of community development. The planning and development of housing areas, industrial areas, business districts and public facilities depends upon accessibility one to the other as well as to all other areas of the city. Key to access is mass transit.

The consequence of this role is that mass transit facilities cannot be developed in isolation. More specifically these facilities must be integrally developed with the remainder of the community.

It is our hope, and we request your help as you approve the proposed reorganization to make certain that it is not intended to promote fragmentation of community development but be designed to serve the people of our communities and complement other city functions.

If hearings are held on this matter, I respectfully request that this letter be made part of the official record.

Thank you for your consideration.
Sincerely,

JOSEPH M. BARR,
*Mayor of Pittsburgh,
President, U.S. Conference of Mayors.*

NATIONAL ASSOCIATION OF MOTOR BUS OWNERS,
Washington, D.C., April 11, 1968.

HON. WILLIAM L. DAWSON,
*Chairman, House Committee on Government Operations,
House of Representatives,
Washington, D.C.*

DEAR MR. CHAIRMAN: The National Association of Motor Bus Owners (NAMBO) favors the transfer of urban mass transportation programs to the Secretary of Transportation, as proposed in Reorganization Plan No. 2 of 1968.

NAMBO is the national trade association for the intercity motorbus industry. Its members include Greyhound Lines, companies affiliated with the National Trailways Bus System, and numerous carriers not affiliated with either system. Collectively, these carriers provide three-fourths of the intercity motorbus transportation in the United States. In addition to passengers and their baggage, they transport a substantial volume of package express.

The problems of urban mass transportation are becoming progressively more difficult to solve. These problems, in our opinion, are inseparably connected with the problems or regional and intercity transportation. Consequently, it is not realistic to assume that comprehensive plans for the improvements of local, sub-urban, intercity, and regional transportation can be developed when Federal

responsibility at the Cabinet level is divided on the basis of geography. As pointed out in the message of the President transmitting Reorganization Plan No. 2 of 1968, an urban transportation system must: "Combine a basic system of efficient, responsive mass transit with all other forms and systems of urban, regional, and intercity transportation."

For example, one of the most promising ways to alleviate traffic congestion and to shorten travel time is to provide unimpeded access by buses to and from the centers of cities. This could be accomplished by making highway and freeway lanes available for the exclusive or preferential use of buses. An exclusive or preferential bus lane program obviously must be developed by the Department in which the Federal Highway Administration is located and in relation to the needs of suburban and intercity bus transportation.

In particular communities and regions, it will be necessary to compare the inherent economic and service advantages of rail, bus, passenger car, and new forms of transportation prior to making any large Federal investment. The Department of Transportation's basic mission is to secure for taxpayers the greatest possible return on Federal expenditures for the promotion of transportation. The proposed transfer of urban mass transportation programs is essential if the Department of Transportation is to accomplish its prime mission in the field of passenger transportation.

For the reasons set forth above, NAMBO favors Reorganization Plan No. 2 of 1968. We respectfully urge the committee not to recommend favorable action on and resolution of disapproval that may be introduced.

Sincerely yours,

CHARLES A. WEBB, *President.*

NATIONAL ASSOCIATION OF COUNTIES,
Washington, D.C., April 17, 1968.

Hon. JOHN A. BLATNIK,
Chairman, Subcommittee on Executive and Legislative Reorganization, Committee on Government Operations.

DEAR CHAIRMAN BLATNIK: A balanced national transportation policy is absolutely essential if our Nation is to continue to maintain the economic growth at anywhere near the rate we have experienced in the past. County government's contribution to the mobility of this Nation, as is evidenced by over 2.5 million miles of county built and maintained roads, hundreds of county airports, and a variety of county-supported mass transit facilities, makes counties particularly cognizant of the need for a balanced transportation program.

It is with this background that our board of directors and our Committee on Transportation meeting in Washington, D.C., January 22, 1968, unanimously endorsed the concepts embodied in Reorganization Plan No. 2 of 1968. The adopted resolution reads as follows:

"Resolved, bearing in mind the rationale of Congress in creating the single Department of Transportation, the National Association of Counties endorses the proposed transfer of Federal mass transit assistance and demonstration programs from the Department of Housing and Urban Development to the Department of Transportation. The National Association of Counties further urges that increased efforts be made so that transportation planning will be more closely related to overall comprehensive planning in the metropolitan area."

I should like to request that this letter be made a part of the official hearings on this proposal, and I should like to thank you in advance for your consideration of this request.

Sincerely yours,

BERNARD F. HILLENBRAND,
Executive Director.

NATIONAL LEAGUE OF CITIES,
Washington, D.C., April 17, 1968.

Hon. JOHN A. BLATNIK,
Chairman, Subcommittee on Executive and Legislative Reorganization, Rayburn House Office Building, Washington, D.C.

DEAR CONGRESSMAN BLATNIK: The National League of Cities firmly endorses Reorganization Plan No. 2 of 1968 transferring primary responsibility for the urban mass transit program from the Department of Housing and Urban Development to the Department of Transportation.

In an article in the February 1968 issue of our official publication, *Nation's Cities*, Mayor J. D. Braman, Seattle, Wash., chairman of the National League of Cities' Committee on Transportation, set out seven criteria for determination of the logical and efficient Federal administrative jurisdiction for the urban mass transit program and a copy of Mayor Braman's article is enclosed for the record. These criteria were developed by the National League of Cities' Committee on Transportation. We have judged the reorganization plan by these criteria. We believe we can endorse the plan because the plan itself and preliminary policies and procedures set forth by the two Departments can, we believe, achieve our goals as stated by Mayor Braman.

Sincerely,

ALLEN E. PRITCHARD, Jr.,
Assistant Executive Director.

[From the *Nation's Cities*, February 1968]

URBAN TRANSPORTATION AT THE CROSSROADS—HARD DECISIONS MUST BE MADE IN WASHINGTON THIS YEAR

(By J. D. Braman)

The most casual scrutiny of our national goals raises the question of just why we, as a nation, choose to place our emphasis in one area as against another. A comparison which comes to mind is the confidence with which we are moving forward in our plans to land on another planet contrasted to our inability to agree on just how we should improve the quality of our urban environment. Reconciling this difference in attitude poses one of the more difficult tasks for any mayor or urbanologist.

A decision that we will land a man on the moon is backed up by a target date and a programed budget. The fact that present technology is not capable of performing the task is a matter of limited concern. The dollars, the manpower, the creative genius is set in motion, and the obstacles are brushed aside one by one.

Compare this methodology with the attempts to solve social problems. Rather than a planned long-range program with adequate resources backed by a will to move mountains, we must be satisfied with government by crisis. When a problem in the metropolitan areas reaches dramatic proportions, only then do we act.

If crisis be the yardstick of action, the time has come for us to get moving again. The metropolitan areas of the United States are approaching chaos in the area of public transportation. A transportation system permitting expeditious movement of people and goods is an absolute necessity for our urban centers.

In seeking solutions to our urban transportation problems, a balance must be struck in use of the various modes of transportation that will allow each mode to make its maximum contribution to the improvement of our urban environment.

Programs in the past gave only incidental support to the important role which public mass transportation can play in a coordinated transportation program. The Urban Mass Transit Act of 1964 gave form and direction to the Federal Government's concern with the problem of how we develop a balanced transportation system for metropolitan areas. The Housing and Home Finance Administration was given responsibility for this program, properly recognizing the role of public transportation in shaping urban developments.

When the Department of Housing and Urban Development was created, the mass transit program was placed under the aegis of the Assistant Secretary for Metropolitan Development. In the years this program has been operating, lack of adequate appropriations has limited its national impact. The program has, however, acted as a stimulus to many cities and it contains the hope of better days ahead. Congress appropriated \$125 million in fiscal 1968 for the total urban mass transit program. By way of contrast, \$4.4 billion will be made available during the same period for highway construction from the highway trust fund.

The role of public mass transportation once again was reviewed by Congress when it created the Department of Transportation in 1966. President Johnson, in his 1966 message on transportation, requested that the Department of HUD and DOT recommend to him the best procedures to achieve cooperation between the respective Departments in their actions as they affect urban areas. In response, Congress again demonstrated that it recognizes the role of mass transportation as an element of urban development. When it created the Department of Transportation, Congress narrowed the Presidential request by addressing itself to the

specific problem as follows: "The Secretary [of the Department of Transportation] and the Secretary of Housing and Urban Development shall study and report within 1 year after the effective date of this act to the President and the Congress on a *logical and efficient organization and location of the urban mass transportation functions* in the executive branch." [Emphasis added.]

This report is due by April 1968.

In the past, the focus of Federal programs has been entirely too narrow. Not only have they been uncoordinated but at times they have actually worked against each other and in the process have damaged or, in some cases, destroyed the existing social fabric.

The National League of Cities recognizes the need to coordinate transportation and other community programs. Its transportation policy states:

"In the development of all modes of transportation systems for service to the Nation's urban areas it is imperative that due consideration be given in planning and project implementation to all urban problems interrelated with transportation development such as housing, education, welfare, and local financing. To this end, all Federal urban transportation programs must provide for consultation and agreements with local officials on objectives, plans, and specific projects."

All programs which have as their purpose the movement of people and goods into and through urban areas must be concerned at a minimum with the following three objectives:

- (1) A public transportation system must have as its primary purpose the enhancement of the quality of urban environment.
- (2) The particular characteristics of each urban region should determine the transportation modes most appropriate for that area.
- (3) Priority consideration should be given to the funding of a balanced transportation system for urban areas.

Public transportation should be a land use planning tool to be used in improving the quality of the environment.

The NLC transportation policy also provides:

"The Federal Government has developed programs of financial assistance for highways, urban mass transportation, airlines, railroads, and waterways but no overall national policy has been developed for dealing with transportation as an integral and related system to be dealt with in coordinated and rational manner. Many of our national transportation policies are contradictory and do not allow for the impact of one form of transportation on another."

The Federal Government has not been completely remiss in recognizing this problem. The 1962 Federal Aid Highway Act requires that each metropolitan area of over 50,000 population develop a comprehensive transportation plan. This is a hopeful sign but falls far short of developing local capability for a balanced transportation system.

Should you wonder why we are floundering in our transportation morass, consider the following:

Development of a total urban system is limited because the public transportation component depends on what has been, up until this point, a relatively minor annual Federal appropriation in contrast to assured substantial Federal funds for financing the highway program.

Use of highway funds for highway-related public transportation needs is severely restricted by law, notwithstanding the fact that they are actually an adjunct of the highway system.

The Interstate System has done a magnificent job of bringing automobiles into urban areas. But only minimal attention has been paid to the congestion problem which plagues every metropolitan area.

The allocation of Federal highway funds according to the classification of the Interstate and the ABC programs has encouraged development of particular classes of roads in urban areas without proper regard to needs or priorities.

The Transportation Committee of the National League of Cities presently is developing a financing and administrative structure for coordinating urban transportation programs. Hopefully, our plan will eliminate biases inherent in the varied financing approaches and administrative structures that typify present Federal support for urban transportation.

The time will shortly be upon us when HUD and DOT will be required to make their joint report on the jurisdiction for the future administration of urban mass transit. In making this judgment, an opportunity is offered to help urban areas solve one of their most provoking problems. I submit that we will not solve the crisis of our Nation's cities until we have understood the significance of

transportation and its relationship to that crisis. Public transportation should provide every citizen with full access to his community.

The determination of the logical and efficient Federal administrative jurisdiction for the urban mass transit program should include consideration of the following:

(1) A public transportation system must have as its primary purpose the enhancement of the quality of the environment.

Adequate provision has to be made to assure that meaningful community values will be maintained or enhanced and that future development, affected by the transportation system, will be of maximum quality as well as being safe, convenient and at a cost which makes it available to the traveling public. The transportation system required to preserve or enhance community values may not at all times meet the traditional standards of financial feasibility for public transportation. Planning and approval processes must also be structured to give appropriate consideration to environmental values. Short-range economics is only one of several essential factors.

(2) Metropolitan areas should evolve their own transportation solutions. Administration of public transportation programs must assure that metropolitan areas will be allowed to solve their own transportation problems. Grants should be made directly to the appropriate authority responsible for implementing the plan.

(3) No one transportation mode should be in a position to exercise undue influence on what the interrelationships of modes should be.

A mechanism must exist to assure that a comprehensive urban transportation network can be planned and developed without domination either through financing patterns or administrative arrangements which favor any particular system.

(4) Research and development must concern itself with broad economic and social values as well as traditional function-oriented considerations.

Research and development must be oriented toward meeting the particular requirements of urban transportation systems and solving urban needs rather than simply improving the economy and efficiency of a transportation system. A research program must allow a sufficient variety of projects to take into account differing characteristics of various metropolitan areas.

(5) An administrative arrangement must be developed to give urban public transportation a visibility in Federal policymaking and budgetary processes that is at least equal to that of other transportation modes.

The administrative structure of the agency or agencies given the responsibility for the urban mass transit program must provide that the individual responsible will have a position of prestige to guarantee that he will have a positive voice in developing policy, administering the program, and recommending budget.

(6) Urban mass transit must be funded as a system if we are to achieve balanced transportation in metropolitan areas.

Any long-range capital improvement program requires the commitment of substantial amounts of money over an extended period of time. In order that intelligent and orderly implementation can be obtained, there has to be assurance that the money committed will be there on the date promised. This is a concern of utmost importance and requires the concurrence and positive support of the agency or agencies to be charged with administering this program.

(7) Case histories of community efforts in developing urban mass transit systems, as well as technical information, should be made available.

There is a wide variance in the planning capability of different metropolitan areas. All information which is material to establishing a balanced transportation system should be collated and made available. There has been a redundancy of effort which wastes both time and money.

The seven criteria are not submitted as being all inclusive. These are reasonable goals which the Congress and the executive branch of our Government should take into account as being of primary concern to metropolitan America.

Seattle has been selected to be one of the laboratories in urban survival. We are one of the 63 model cities recently designated. A major component of our application, perhaps the most vital element, was the use of rapid transit as an adjunct to a freeway system. We are going to reduce a divisive eight-lane freeway in our ghetto into a unifying boulevard, with the aid of rail rapid transit. The station areas will become community activity centers. Rapid transit will serve as the vertebrae about which we will convert our ghetto into, hopefully, one of the most desirable places in Seattle in which to live.

Urban mass transportation is vital not only to insure the efficient movement of people but, more important, it is essential to the vitality of our urban areas. The decisions that are being made today will determine the quality of the environment in which metropolitan America will live for generations to come.

Hon. JOHN A. BLATNIK,
Chairman, Subcommittee on Executive and Legislative Reorganization of the

TRANSPORTATION ASSOCIATION OF AMERICA,
Washington, D.C., April 22, 1968.

House Committee on Government Operations U.S. House of Representatives,
Washington, D.C.

DEAR CHAIRMAN BLATNIK: On behalf of the board of directors of the Transportation Association of America, I should like to express TAA's support of Reorganization Plan No. 2 of 1968 which would transfer the jurisdiction of most Federal programs in the area of urban mass transportation from the Department of Housing and Urban Development to the Department of Transportation.

For the record, TAA is a national transportation policy organization made up of transport users of all types, investors, and carriers of all modes. All of these interests are represented on the 115-man TAA board, which has adopted the following policy position on the overall questions of centralizing of non-regulatory transport functions within the newly created Department of Transportation:

"The Transportation Association of America favors the establishment of a Cabinet-level Department of Transportation within which would be centralized the major nonregulatory transport functions of the Federal Government which the executive branch of the Government is empowered to administer. The association strongly opposes any transfer to such a Department of economic regulatory functions, such as control over rates, entry, and routes, from the Civil Aeronautics Board, Federal Maritime Commission, and the Interstate Commerce Commission, which should be independent agencies directly responsible to the Congress."

Our basic reason for being in favor of centralizing all of the Government's functions within the Department of Transportation is to provide for a more rational and balanced policy approach to the Nation's overall transportation problems. We believe that the transfer of the urban mass transportation programs to the Department of Transportation as stated in Reorganization Plan No. 2 of 1968 is in line with this basic reasoning. Such a transfer will permit the functions of urban mass transportation to be treated in a systems context along with other modes of transportation, will provide more effective management of these transportation programs, and will permit communities to look to a single agency for programs assistance and support in this area.

Furthermore, it is anticipated that the new Urban Mass Transportation Administration in the Department of Transportation, as called for in the reorganization plan, working with other elements of the Department, will consolidate and focus efforts to develop and employ the most modern transportation technology in the solution of the transportation problems of our cities—which are greater today than ever before.

We request that this letter be made a part of the official record of the hearings on the President's Reorganization Plan No. 2 of 1968.

Sincerely,

HAROLD F. HAMMOND, *President.*

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
URBAN TRANSPORTATION ADMINISTRATION—BRIEF SUMMARY OF PROGRAM

The Urban Mass Transportation Act of 1964 as amended authorizes grants and loans to public agencies under four primary programs which are directed toward the improvement of existing mass transportation facilities and the development of new means of transportation for our urban masses. A pilot program of demonstrations was authorized in 1961; the passage of the 1964 act signaled a commitment to substantial Federal assistance in financing capital improvements and in extending Federal participation in transit research and development. The

1966 amendments provided for technical assistance in the planning of transit improvements and provided funds for the training of personnel in transit operations and research. It also directed HUD to undertake a special study for the development of a program of research, development and demonstrations of new systems in urban transportation.

These programs in urban mass transportation seek to—

- (1) encourage local planning of mass transit facilities as part of overall comprehensive planning for the urban region, in order to facilitate orderly community development;
- (2) assist in making the city, particularly the central core, viable by providing adequate access to and circulation within heavily congested areas;
- (3) provide for mobility for those who, because of age, health or income, have no alternative means of transportation; and
- (4) develop new methods and new systems of urban transportation which will prove faster, safer, and more economical and will enable newly developing areas to grow in an orderly manner.

A total of \$675 million has been authorized under the 1964 act as amended, as follows:

AUTHORIZATION AND APPROPRIATIONS

[In millions of dollars]

	Authorization	Appropriation
Fiscal year 1965.....	75	60
Fiscal year 1966.....	150	130
Fiscal year 1967.....	150	130
Fiscal year 1968.....	150	125
Fiscal year 1969.....	150	175
Total.....	675	620

¹ Advance appropriation.

Of the authorization, \$55 million remains available for appropriation. To fund the program beyond fiscal year 1969 at the level of estimated program need, additional authorization will be needed.

The need for capital improvements in mass transit was documented in a 1961 Institute of Public Administration study, and updated by HUD in a 1966 survey of mass transit capital improvement programs in 11 major metropolitan areas containing 40 percent of the population of all SMSA's. From this analysis, a current 10-year projection indicates approximately \$10.9 billion in capital financing needs—\$8.6 billion for existing and proposed rail transit systems, \$1.3 billion for bus replacement needs, and an estimated \$1 billion for possible future rail systems.

Grant funds committed under the 1964 act through March 31, 1968, total:

GRANT FUND COMMITMENTS UNDER THE 1964 ACT

[In millions of dollars]

	Capital grants	Research, development, and demonstrations	Technical studies	Managerial training
Fiscal year 1965.....	50.7	9.1	-----	-----
Fiscal year 1966.....	106.1	5.9	-----	0.1
Fiscal year 1967.....	120.9	9.1	3.1	.01
Fiscal year 1968 through March.....	105.4	5.1	1.6	.11
Total.....	383.1	29.2	4.7	

The demand for Federal funds is increasing at an accelerated rate. An existing backlog of applications under the capital grant program exceeds \$255 million; of this total, \$340 million is requested for improvements for rail rapid transit systems and \$25 million for buses and related facilities. This ratio is consistent with program experience through the end of fiscal year 1967. While bus projects accounted for 64 percent (42 out of 66) of all grants, they constituted only 21.3 percent of the total fund reservation under the capital grant program.

ALLOCATION OF CAPITAL GRANTS BY SYSTEMS (AS OF JUNE 30, 1967)

	Amount	Percent
Rail.....		
Rolling stock.....	\$203,169,689	73.1.
Bus.....	50,177,917	Approximately 18 percent of total.
New buses.....	59,077,089	21.3.
Boat.....	30,489,389	Approximately 11 percent of total.
	15,488,332	5.6.
Total grant reservation.....		
Deferred pending planning (Jan. 6).....	277,735,108	100.
Currently payable (50 percent).....	35,026,305	
Actually disbursed.....	242,708,803	
	51,282,048	

Through the end of fiscal year 1967, the average grant under the capital grant program was \$4.2 million; grants were distributed among 50 cities and metropolitan areas in 25 States and Puerto Rico. The distribution by size of population is as follows:

Population group	Number	Aggregate grants (thousands)
Under 50,000.....	7	\$1,203
50,000 to 99,999.....	10	2,088
100,000 to 249,999.....	11	9,125
250,000 to 499,999.....	6	2,765
500,000 to 999,999.....	9	57,780
1,000,000 to 1,999,999.....	9	50,823
2,000,000 to 5,000,000.....	12	100,269
Over 5,000,000.....	2	53,683
Totals.....	66	277,735

The vast majority of transit funds committed so far in the capital grant program involve the rail commuter and rapid transit systems of some of the Nation's major metropolitan areas. Virtually all of these improvements are under construction, with their beneficial results yet to come. The New York area alone has received over \$98 million to date in Federal transit grants—for such projects as 400 new subway cars in New York City, 144 new cars and other improvements on the New Haven Railroad, extension and rehabilitation of electrification on the Long Island Railroad, 35 new cars for the North Jersey commuter service of the Pennsylvania Railroad, and completion of the Aldene plan of railroad service improvement in northern New Jersey, including 44 new cars on the Port Authority Trans-Hudson's rapid transit lines.

The first phase of the Aldene plan became effective May 1, 1967. This involved major changes in the routing of Central Railroad of New Jersey commuter trains, which now have their inner terminal in Newark, where cross-platform connections are made with PRR and PATH trains into Manhattan, rather than in Jersey City where only an obsolete ferryboat connection was formerly possible. Without this change, there is great doubt that the Jersey Central could have survived. Additional new air-conditioned rapid transit cars were added to the already existing PATH fleet to handle the Jersey Central commuters into the downtown financial district.

The recently approved \$28.4 million grant for the New Haven Railroad is one step in the program of reviving this bankrupt, but vitally needed line. Some 35,000 daily commuters, almost all of whom are Manhattan oriented, depend on the line for service, and its continuance and improvement are imperative to the economic and physical well-being of the entire New York metropolitan area.

The San Francisco Bay area rapid transit district is building the nation's newest rail rapid transit system—the first really extensive such undertaking in many years. Federal funds amounting to more than \$51 million have already been committed to this project, on which BART is now well along the road to completion.

In Chicago, Federal funds are assisting in the construction of two important new lines in the city's highly successful subway-elevated system. Fifteen miles of new route are underway in the median strips of the Dan Ryan and Kennedy

expressways, which will provide faster and more dependable transit service to well over 100,000 Chicagoans, some of whom will save as much as 28 minutes travel time for a one-way trip.

The Boston system is basically an old one, and the rapid transit stations show unmistakable signs of age and deterioration. Under a \$6 million transit grant, many of these stations are getting a complete facelifting, with a late 20th century look replacing what in many cases was a rather depressing, dismal atmosphere. Arlington Street Station, in the heart of the famous Back Bay district, was the first to be completed and has elicited unanimously favorable comment. Two additional stations have recently been completed.

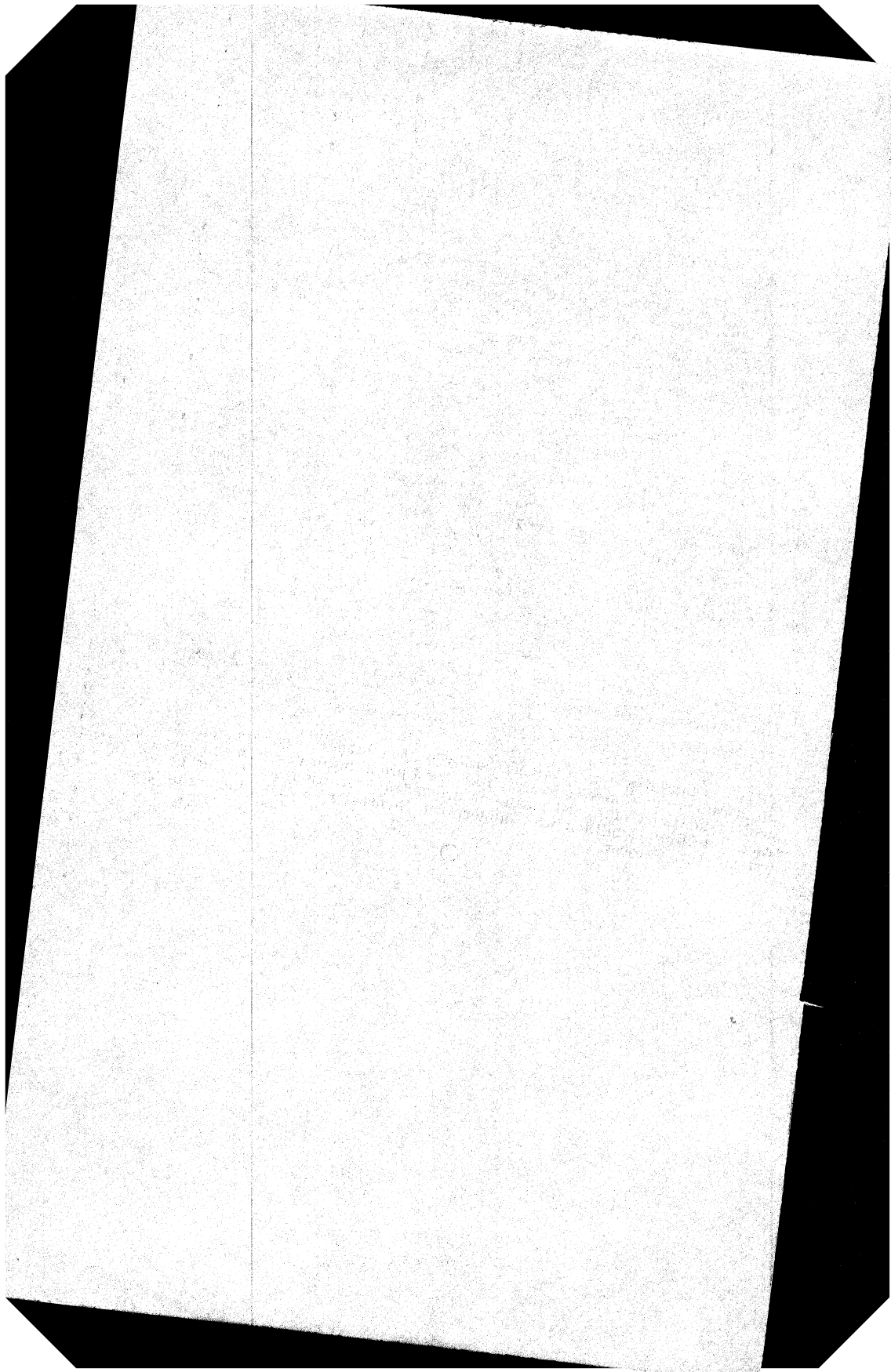
In Cleveland, Federal funds have made possible a 4-mile extension of the rapid transit system to the Cleveland Hopkins Airport. This is the first example in the United States of direct airport to downtown rapid transit service, and only Brussels and Tokyo in other parts of the world have such service. Trains will make the 11-mile trip in 22 minutes when the service begins later this year. Already, a great deal of favorable publicity is appearing, much of it in magazines of general circulation, with both the Cleveland Transit System and HUD the beneficiaries of this coverage.

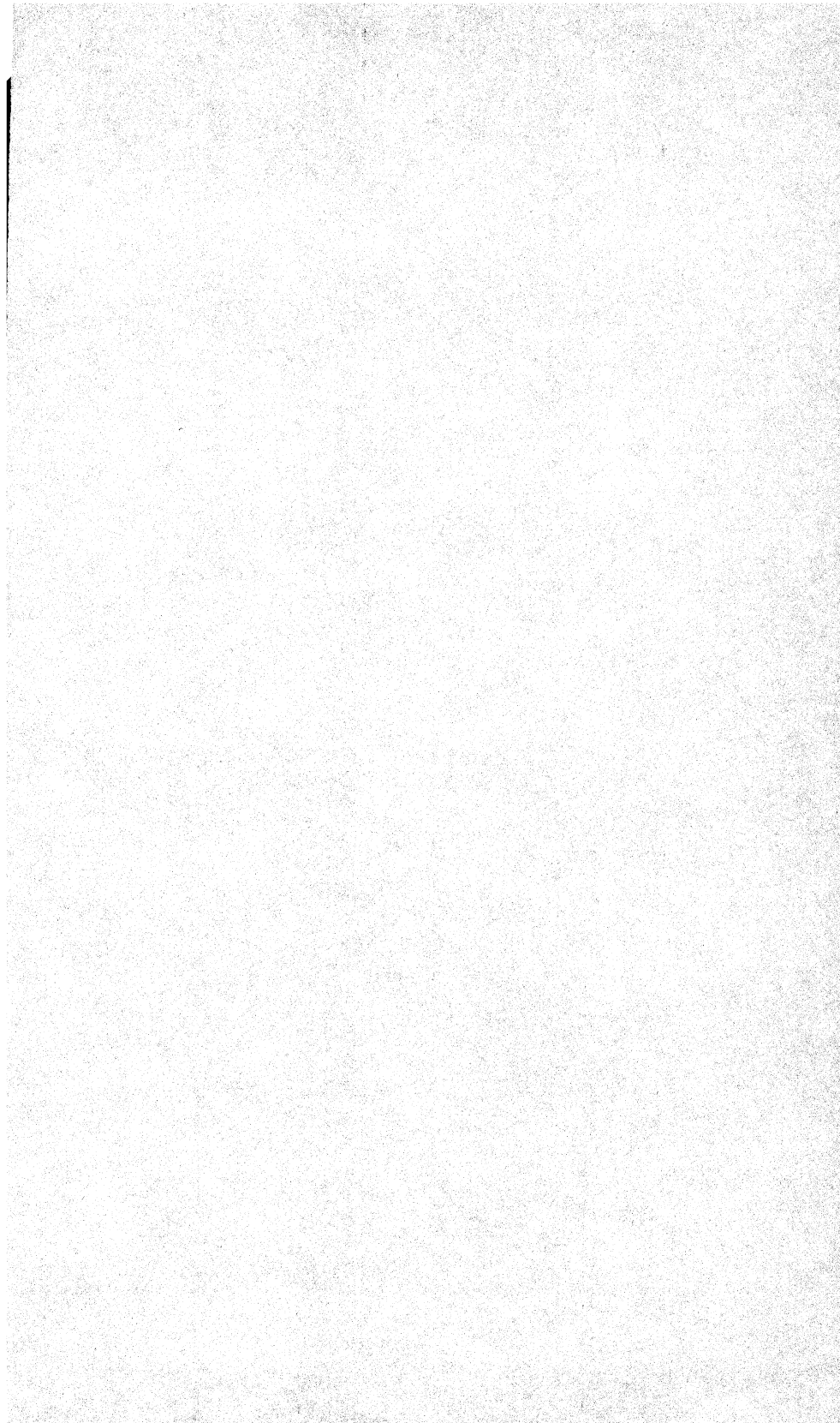
The technical study program, which was authorized by the 1966 amendments to the 1964 act, serves as an indicator of future demand. Atlanta, Seattle, Los Angeles and Baltimore have all received assistance in the planning of new rapid transit systems. Assuming passage of bond referendums for these projects, capital expenditures totalling nearly \$5 billion may be anticipated in the next decade.

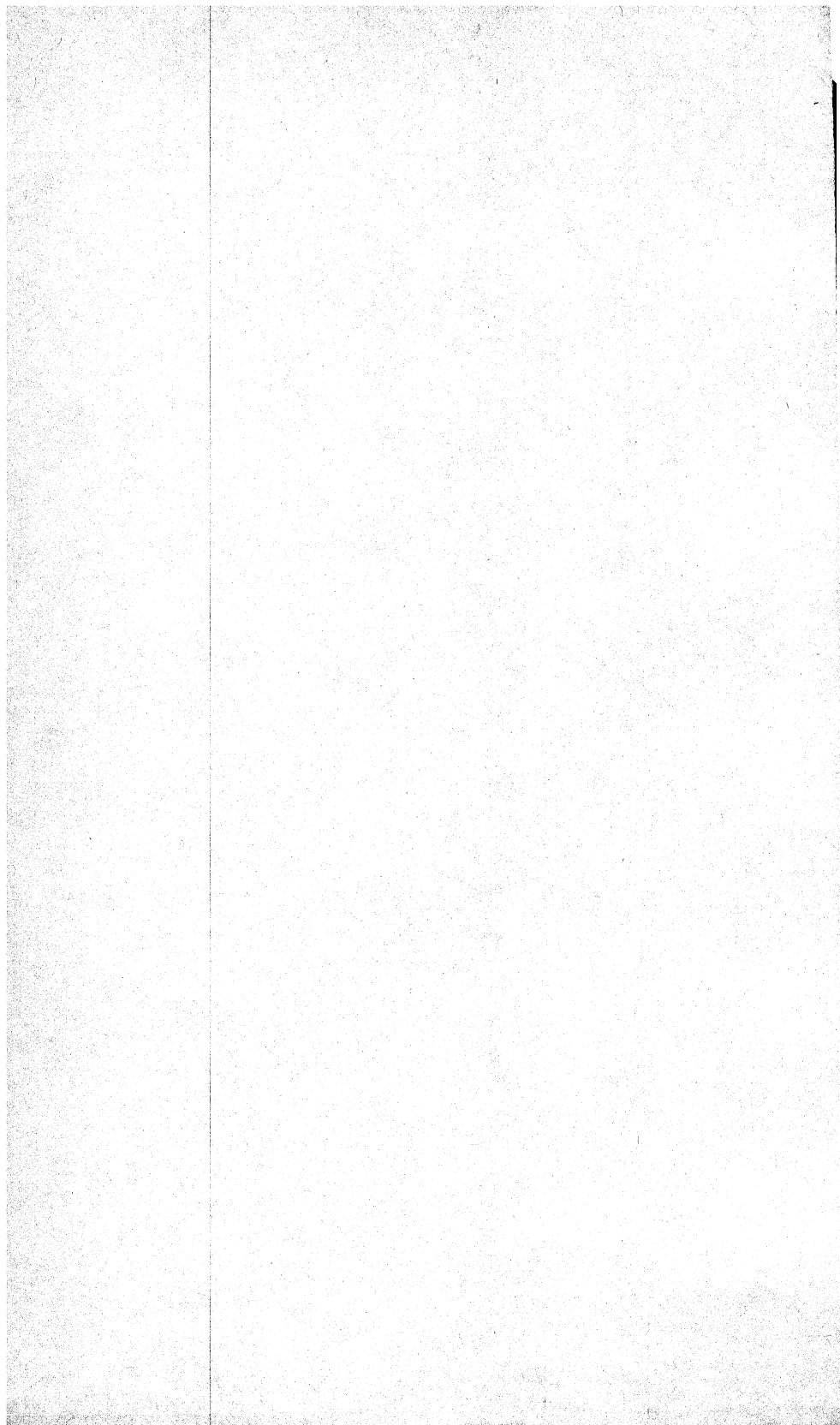
Including grants made under the 1961 pilot program, 58 demonstration grants have been approved; the size of these grants has varied from \$10,000 to more than \$6 million, with an overall average of approximately \$765,000. The 58 demonstration grants cover a broad spectrum of problem areas which may be roughly divided among the following categories:

Category	Number	Federal grants
A. Experiments with changes in service and fares.....	28	\$24,170,000
B. Testing of new technology.....	18	15,056,000
C. Experiments with new management techniques.....	12	5,200,000
Total.....	58	44,426,000

HUD is pursuing a new systems study project preparatory to submission to the President and Congress in March 1968 of a program for research and development of new and improved means of urban transportation. A total of 12 contracts totalling \$2 million were undertaken in fiscal year 1967 under the new systems study project.







MAY 14, 1968

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(If)

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MEMORANDUM

1. The first part of the report is a general statement of the purpose of the study and the scope of the work.
2. The second part is a description of the methods used in the study.
3. The third part is a description of the results of the study.
4. The fourth part is a discussion of the results and their significance.
5. The fifth part is a conclusion.
6. The sixth part is a list of references.
7. The seventh part is a list of figures.
8. The eighth part is a list of tables.

REORGANIZATION PLAN NO. 3 OF 1968 (D.C. RECREATION FUNCTIONS)

TUESDAY, MAY 14, 1968

HOUSE OF REPRESENTATIVES,
EXECUTIVE AND LEGISLATIVE
REORGANIZATION SUBCOMMITTEE
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 10 a.m., in room 2203, Rayburn House Office Building, Hon. John A. Blatnik (chairman of the subcommittee) presiding.

Present: Representatives John A. Blatnik, Henry S. Reuss, John N. Erlenborn, Clarence J. Brown, Jr., and Jack Edwards.

Also present: Representative William L. Dawson, chairman, Committee on Government Operations.

Staff members present: Elmer W. Henderson, subcommittee counsel; and William H. Copenhaver, minority professional staff.

Mr. BLATNIK. The Subcommittee on Executive and Legislative Reorganization will please come to order.

We meet here in public hearings on Reorganization Plans Nos. 3 and 4 of 1968.

Mayor Washington planned to be here; he will probably still be here. He has been detained.

To date, no resolution of disapproval has been introduced on either of these reorganization plans, and allowing for the 10-day Easter recess, these plans become law on May 23. That would be about 9 or 10 days from now. Both of these reorganizations relate to the District of Columbia government which, as you all recall, was reorganized into a new structure by Reorganization Plan No. 3 of 1967.

Reorganization Plan No. 3 of 1968 transfers to the Mayor-Commissioner of the District of Columbia all functions, personnel, property, and funds of the District of Columbia Recreation Board and the Superintendent of Recreation. Both offices are then abolished. The Mayor will then have complete control over this important municipal activity.

(Reorganization Plan No. 3 of 1968 follows:)

[H. Doc. No. 280, 90th Cong., second sess.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES, TRANSMITTING REORGANIZATION PLAN NO. 3 OF 1968, BRINGING RECREATION PROGRAMS UNDER THE AUTHORITY OF THE DISTRICT OF COLUMBIA COMMISSIONER

To the Congress of the United States:

In the past few years Congress and the President have pledged to make the Nation's Capital a model of excellence for America: in government, in housing, in city planning, in law enforcement, in transportation.

But the quality of any city is not just a matter of efficiency and public order. If it is to be truly great, the city must be lively and inviting—a place of beauty and pleasure.

The city's life is lived not only in its buildings, but in its pools, playgrounds, and recreation centers, in the places where the young gather to find excitement and delight, where the old come to find relaxation, fresh air, companionship.

In Washington, recreation is a vital element of the city's school-enrichment activities, its model city project and its summer programs.

But the District of Columbia Recreation Department is not an integral part of the District government. With its six-member independent board, the autonomy of the Department prevents the District of Columbia Commissioner from providing policy supervision to the city's recreation activities and from relating them to other community service programs—in health, education, child care, and conservation.

There is no reason to distinguish between recreation and other community service programs now vested in the Commissioner.

Accordingly, I am today submitting to the Congress Reorganization Plan No. 3 of 1968. This plan brings recreation programs under the authority of the District of Columbia Commissioner. It enables the new city government to make recreation an integral part of its strategy to bring more and better community services to the people who live in the city.

The plan achieves these objectives by abolishing the present Recreation Board and the Office of the Superintendent of Recreation. It transfers their functions to the District of Columbia Commissioner.

The accompanying reorganization plan has been prepared in accordance with chapter 9 of title 5 of the United States Code. I have found, after investigation, that each reorganization included in the plan is necessary to accomplish one or more of the purposes set forth in section 901(a) of title 5 of the United States Code.

Closer coordination of recreation with other municipal improvement programs of the District government and the improved efficiency of recreation management will produce a higher return on the taxpayer's investment in recreation programs, though the amount of savings cannot be estimated at this time.

I urge the Congress to permit this reorganization plan to take effect.

LYNDON B. JOHNSON.

THE WHITE HOUSE, March 13, 1968.

REORGANIZATION PLAN NO. 3 OF 1968

(Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, March 13, 1968, pursuant to the provisions of chapter 9 of title 5 of the United States Code)

DISTRICT OF COLUMBIA RECREATION FUNCTIONS

SECTION 1. *Definitions.* (a) As used in this reorganization plan, the term "the Recreation Board" means the District of Columbia Recreation Board provided for in District of Columbia Code, sec. 8-201 and in other law.

(b) References in this reorganization plan to any provision of the District of Columbia Code are references to the provisions of statutory law codified under that provision and include the said provision as amended, modified, or supplemented prior to the effective date of this reorganization plan.

SEC. 2. *Transfer of functions to Commissioner.* There are hereby transferred to the Commissioner of the District of Columbia all functions of the Recreation Board or of its chairman and members and all functions of the Superintendent of Recreation (appointed pursuant to District of Columbia Code, sec. 8-209).

SEC. 3. *Delegations.* The functions transferred by the provisions of section 2

hereof shall be subject to the provisions of section 305 of Reorganization Plan No. 3 of 1967 (32 F.R. 11671).

SEC. 4. *Incidental transfers.* (a) All personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, held, used, available, or to be made available in connection with the functions of the Recreation Board or the Superintendent of Recreation are hereby transferred to the Commissioner of the District of Columbia.

(b) Such further measures and dispositions as the Director of the Bureau of the Budget shall deem to be necessary in order to effectuate the transfers provided in subsection (a) of this section shall be carried out in such manner as he may direct and by such agencies as he shall designate.

SEC. 5. *Abolition.* The Recreation Board, together with the position of Superintendent of Recreation, is hereby abolished. The Commissioner of the District of Columbia shall make such provisions as he may deem necessary with respect to winding up the outstanding affairs of the Recreation Board and the Superintendent of Recreation.

SEC. 6. *Effective date.* The provisions of this reorganization plan shall take effect at the close of June 30, 1968, or on the date determined under section 906(a) of title 5 of the United States Code, whichever is later.

Mr. BLATNIK. We may proceed with the witnesses. First, we have our good friend, Mr. Hughes.

Mr. Hughes, would you please take the center seat, and we would like to have you joined by Mr. William Hammond Thomas, who is Chairman of the District of Columbia Recreation Board and Department; and Mr. Benjamin Segal, who is the chairman of the Citizens Task Force on Recreation in the District of Columbia.

Mayor, we had you on a radarscope. Come on down. We had it timed. We introduced three witnesses. First, you know Mr. Hughes of the Bureau of the Budget; Mr. Thomas, Chairman of the Recreation Board and Department; and, of course, Mr. Benjamin Segal, chairman of the Citizens Task Force. Mayor, we certainly welcome an extremely busy man.

Commissioner WASHINGTON. Thank you, sir. I want to report a very happy incident. I was sort of delayed in getting through the Capitol. There were so many visitors over there, tourists, that I could not make my way through, and I just appreciate the scene.

Mr. BLATNIK. Off the record.

(Discussion off the record.)

Mr. BLATNIK. At the outset, we will not go into too much detail; but the Mayor will recollect nearly 12 months ago, when we were discussing Reorganization Plan No. 3 of 1967, which permitted the administration to create the new restructured city government, little did we realize then how important it would be—not only the form of the government a year later, your municipal government, but the extraordinary job of leadership which the Mayor, who at that time was still unknown to us, performed. His civic duty and performance were far beyond the call of duty. He has won the admiration of certainly all the citizens of the entire District of Columbia, the entire metropolitan area and of the Nation itself. We commend you and welcome you this morning in your perseverance.

Mr. Hughes, you are an old hand at these hearings. How should we start? Should we start with your statement?

Mr. HUGHES. I would be glad to do that, Mr. Chairman. I have a very brief statement. I would be pleased to present that, if you wish, and then proceed in any way you would like.

Mr. BLATNIK. You open up the hearings with your statement, Mr. Hughes.

Mr. HUGHES. All right, sir.

**STATEMENT OF HON. PHILLIP S. HUGHES, DEPUTY DIRECTOR,
BUREAU OF THE BUDGET**

Mr. HUGHES. Mr. Chairman and members of the subcommittee, I am pleased to present the views of the Bureau of the Budget on Reorganization Plan No. 3 of 1968, providing for certain reorganizations relating to District of Columbia recreation functions.

This reorganization plan derives from a recognized need to provide the District of Columbia Commissioner with the necessary tools to effectively manage District affairs.

When Reorganization Plan No. 3 of 1967 was under consideration by the Congress, the question was raised repeatedly as to why provisions were not made for the transfer to the new Commissioner of a variety of municipal functions that were not then vested in the Board of Commissioners. Those functions were not included in that plan because it was first necessary to create the basic organizational environment to assure their more effective management. Given the basic problems with the commission form of municipal government which Reorganization Plan No. 3 of 1967 was trying to correct, too early transfer of these other functions could have been harmful, rather than helpful. Since the basic format of the District government now has been changed, and since Mayor Washington has the internal restructuring of the District government well underway, it is time to deal with these other functions.

As President Johnson indicated in his 1967 message on the National Capital: "As these changes are made," he said, "it will be possible to effect further improvements, both in the structure of the District government and in its relationship to other agencies serving the Nation's Capital."

In keeping with the President's statement, Reorganization Plan No. 3 of 1968 transfers a significant municipal function to the Mayor.

The District of Columbia Recreation Board is something of an organizational curiosity. It is funded by the District government, and its employees are employees of the District government. Yet all policy and management functions are vested in the Board or in its appointee, the Superintendent of Recreation, who has certain powers vested directly in him, particularly with respect to personnel appointments and program supervision. The Board itself includes representatives of the Board of Education and the District of Columbia government, the Superintendent of National Capital Parks, and four citizen members appointed for 4-year terms by the Mayor.

The Mayor and District of Columbia Council have, in fact, little direct control over the development and implementation of recreation programs in the District. The integration of recreation with schools, with youth programs, with employment programs, with programs for the elderly, with housing and urban development programs are matters of separate negotiation between the Recreation Board and other District government entities. Present arrangements do not represent a coherently conceived and directed program.

The Recreation Board has the function of developing and conducting a comprehensive recreation program for the District of Columbia. Recreation programs are conducted in parks, playgrounds,

and other facilities under the jurisdiction of the District government, the Board of Education, or the National Park Service. It has no facilities under its own jurisdiction, but negotiates for the use of such facilities with those three bodies.

A recent report of a citizens task force established by the Superintendent of Recreation pursuant to complaints about the conduct of the District recreation program noted—as aside from criticism of its actual operation—

* * * that recreation programs were fragmented and uncoordinated among various agencies. At the same time they (the task force) were hopeful that this would change for the better under the proposed reorganization plan submitted to Congress which placed the Recreation Department directly under the District government administration.

A major trend in public recreation organization today is to bring park management and development functions together with recreation functions. Reorganization Plan No. 3 of 1968 is in line with this trend which promises improved delivery of public recreation services. And, while a large part of the District program is carried out on properties of the Park Service and the Board of Education, the problem of coordination will be much simplified by transferring District recreation functions to the Mayor.

This is exactly what Reorganization Plan No. 3 of 1968 would do. All of the functions of the Board and the Superintendent of Recreation would be transferred to the Mayor, thus allowing him to coordinate this vital municipal activity with other District programs. The recreation organization would become, in fact as well as in name, an agency of the District of Columbia government.

The statutory position of the Superintendent would be abolished as would the Board itself. Of course, the Commissioner could establish an advisory board on recreation should he deem it necessary or advisable. However, since the new District Council is a body broadly representative of the community, it can obviate the need for the establishment of so many of the citizen advisory boards that appeared necessary under the previous organization of the District government.

In sum, Reorganization Plan No. 3 of 1968 would provide the new government of the District of Columbia with the organizational means by which public recreation programs in the Capital City can be effectively coordinated with related District programs and activities. I urge, therefore, that the Congress permit the plan to take effect.

That is the end of my prepared statement. I would be glad to proceed—

Mr. BLATNIK. We will proceed with the Mayor.

Commissioner Washington, would you proceed with your statement?

STATEMENT OF HON. WALTER E. WASHINGTON, COMMISSIONER OF THE DISTRICT OF COLUMBIA

Commissioner WASHINGTON. Yes, sir; I would be glad to, Mr. Chairman. I would first like to thank you for the very kind statement you made at the opening of the session. I kind of need it these days. And I also would like to say that the matter of our reorganization proposal here does not bear upon the great dedication and service of

Chairman Thomas and his Board. They have, in my opinion, functioned in an outstanding manner against very, very difficult circumstances. I believe that for too many years they have had to try to develop a recreation program which has been neglected, underbudgeted, understaffed and undernourished, and I believe that we are taking an appropriate step now to put the recreation program and the organization into tandem with the District's resources. I would hope that this action would give the city a far more viable program in the future.

With respect to the reorganization proposal specifically, at present the District of Columbia Recreation Department is not an integral part of the District government. Mr. Chairman, I think we have introduced the organization chart, and with your permission, I would like to have it made a part of the record. It may provide some answers just by looking at it.

Mr. BLATNIK: Without objection, the chart will follow the actual text of your statement which will appear in the record.

Commissioner WASHINGTON: Thank you, sir. As I indicated, the Department has not been an integral part of the government. Instead, it operates under an independent seven-member board. The reorganization plan would abolish the Board of Recreation and transfer its functions, with those of the Superintendent of Recreation, to the District of Columbia Commissioner.

Like urban renewal, recreation is a vital and integral element of the city's life. It is closely related to health, education, child care, delinquency prevention, vocational rehabilitation, and conservation. It is a key element in the city's school enrichment activities, its urban renewal and model city programs, and its summer youth programs.

The present autonomy of the Recreation Department prevents the District of Columbia Commissioner from achieving the necessary coordination of recreation programs with the other closely related District programs. And I again refer to that chart, Mr. Chairman, and I think that it—I don't want to belabor it—but I think you get a little feel of what we are faced with in trying to function as a government with a maze of interdependent and unrelated agencies and activities.

There should be no distinction in my belief between recreation and other community service programs now under the policy supervision of my office. Last year's Reorganization Plan No. 3 had as fundamental objectives the unification of executive and administrative authority, the elimination of competing and sometimes conflicting assignments or responsibility, and organization of the District government under a single Commissioner to provide effective day-to-day administration. Both of these 1968 reorganization plans will further those objectives and permit the District government to function more effectively in meeting the needs of the community.

Last fall, I called in nationally known authorities on urban affairs to advise our new administration. These experts, operating through five work groups, stressed the urgent need for greater integration of various municipal activities under the policy supervision of the Commissioner. Two of the groups specifically addressed themselves to the need for a closer relationship of urban renewal and recreation, both

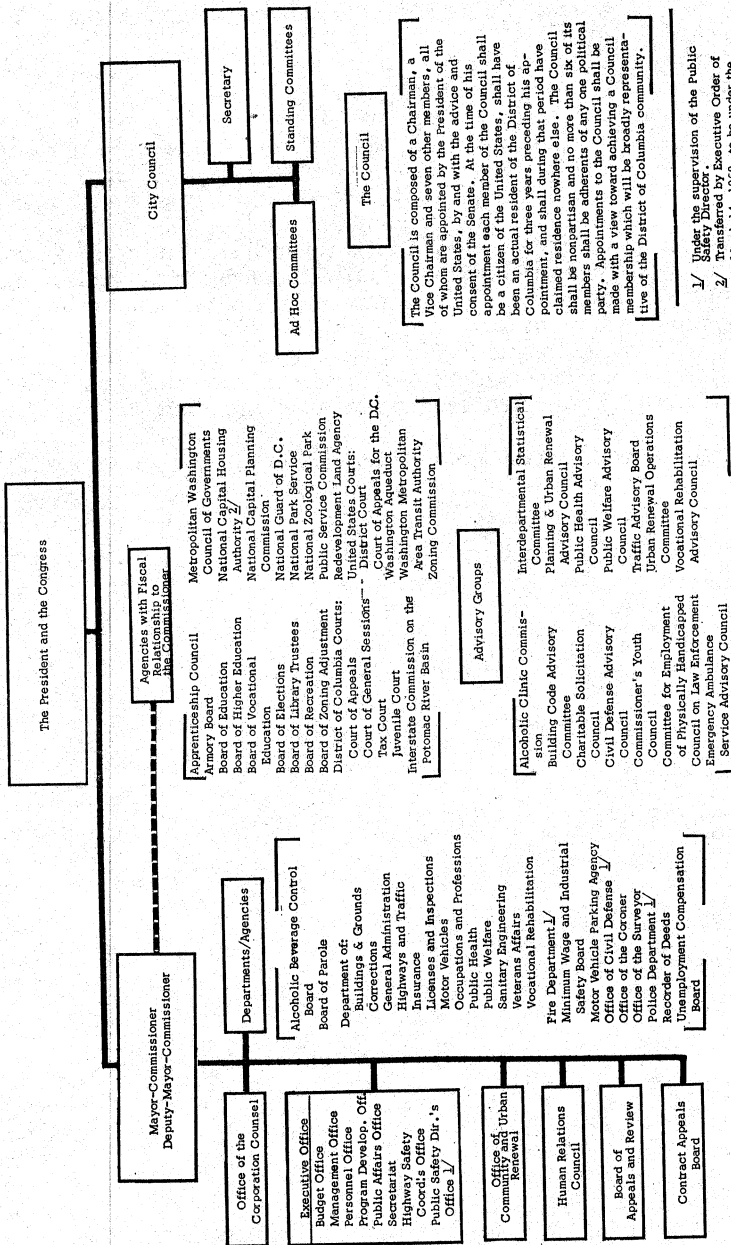
to each other and to other District government activities. I believe this to be necessary if we are to meet the growing problems of the District of Columbia.

Widened and strengthened recreation programs are needed for the well-being of this community. They cannot be separated from other community service programs without detriment to all such activities. As the President pointed out in his message transmitting plan No. 3 of 1968, the quality of any city is not just a matter of efficiency and public order. If it is to be truly great—and Congress and the President have pledged to make the Nation's Capital a model of excellence for America—the city must be lively and inviting, a place of beauty and pleasure. And I believe, Mr. Chairman, the approval of this plan to place the recreation functions under my policy supervision will help accomplish this end.

Mr. Chairman, may I again thank you for this opportunity to underline our strong support for these much needed reorganization measures, and I join Mr. Hughes in recommending the approval of this legislation.

(The organization chart referred to follows:)

THE GOVERNMENT OF THE DISTRICT OF COLUMBIA



April 1968

1/ Under the supervision of the Public Safety Director.

2/ Transferred by Executive Order of March 14, 1968, to be under the jurisdiction of the Commissioner.

The Council is composed of a Chairman, a Vice-Chairman, and seven other members, all of whom are appointed by the President of the United States, by and with the advice and consent of the Senate. At the time of his appointment each member of the Council shall be a citizen of the United States, shall have been an actual resident of the District of Columbia for three years preceding his appointment, and shall during his term of office have claimed residence in the District. The Council shall have no more than six of its members shall be adherents of any one political party. Appointments to the Council shall be made with a view toward achieving a Council membership which will be broadly representative of the District of Columbia community.

Mr. BLATNIK. Thank you, Mayor. We will come back to you with questions.

We will hear now from the Chairman of the District of Columbia Recreation Board and Department, Mr. Thomas. Will you please read your statement?

STATEMENT OF WILLIAM HAMMOND THOMAS, CHAIRMAN, DISTRICT OF COLUMBIA RECREATION BOARD AND DEPARTMENT; ACCOMPANIED BY MRS. ELIZABETH M. STERN, VICE CHAIRMAN

Mr. THOMAS. Thank you, Mr. Chairman and members of the committee. Before I go into my statement, I would like to thank the Mayor for his kind words relative to the Board's work. I can say without equivocation that each member of the Board is a dedicated public servant. Mrs. Stern, Vice Chairman of the Board, is here today and I would like to present Mrs. Stern to the committee.

Mr. BLATNIK. Off the record.

(Discussion off the record.)

Mr. BLATNIK. Certainly the record will show you as part of the panel. We appreciate your making the effort to be here in person.

Mr. THOMAS. My name is William Hammond Thomas, and I appear here today as Chairman of the District of Columbia Recreation Board. I thank you, on behalf of the Board, for this opportunity to present the views of the District of Columbia Recreation Board relative to the President's proposal for the reorganization of the District of Columbia recreation functions, designated as Reorganization Plan No. 3.

The District of Columbia Recreation Board supports the President's Reorganization Plan No. 3.

We believe that the new city government, if it is to have marked administrative success, must have administrative control of all city governmental community service agencies. Moreover, the prestige of the Mayor's office can bring to the Recreation Department the necessary funds to permit the essential upgrading of recreation in this city.

The increased interest in community school complexes envisions cooperative and cohesive educational, recreational, and other neighborhood functions. We believe that the Mayor's office can effect a better cooperative meshing of these community services than can an independent and autonomous board.

While the new Board now in operation has made tremendous strides in the past 10 months toward upgrading recreation services and facilities, it believes that even better and quicker results can be had from the vantage point of the Mayor's office.

While I recognize that this hearing is for the purpose of determining the Board's position relative to the reorganization plan, nevertheless, we would like to read into the record some of our thinking with respect to the future. We believe that there should be a successor board for recreation organized along these lines:

- (1) An 11-man board with agency representatives from the Board of Education, National Park Service, and the City Council. There would be a citizen representative from each of the four sections of the city, a member at large, two youth representatives, and one representative with a strong interest in the arts.

(2) Citizen board members would be appointed by the Mayor and confirmed by the Council. Agency members would be named by their respective agencies.

(3) Board members would be appointed for staggered terms. Youth representatives would serve not more than two 3-year consecutive terms.

(4) The Board should meet at least once a month with the majority of the meetings scheduled in the community.

(5) The Board would have responsibility for recreation policy matters subject to review and veto by the Mayor.

(6) The Board would have the responsibility to review and make changes in the Department's budget before it is sent to the Mayor.

(7) The Board would be responsive to and representative of the community.

(8) The Board would render judgment on program priorities for the Recreation Department subject to review by the Mayor.

We believe that a board along these lines, operating under the aegis of the Mayor's office, would be properly transitional from the present autonomous Board to a posture consonant with the reorganization plan.

Finally, we believe that our support of the President's Reorganization Plan No. 3 is not inconsistent with our sworn duty to provide recreation for all of the people of the District of Columbia.

Thank you, members of the committee.

Mr. BLATNIK. These are your recommendations to the committee and the present Commissioner?

Mr. THOMAS. Yes.

Mr. BLATNIK. We will come back to you in just a few minutes.

Mr. Segal, Chairman of the Citizens Task Force on Recreation in the District of Columbia. We welcome you and thank you for your appearance. Will you please read your statement?

STATEMENT OF BENJAMIN D. SEGAL, CHAIRMAN, CITIZENS TASK FORCE ON RECREATION IN THE DISTRICT OF COLUMBIA

Mr. SEGAL. Thank you, Mr. Blatnik. It is a pleasure to be here. The Citizens Task Force on Recreation wishes to give its wholehearted endorsement to the President's Reorganization Plan No. 3 which would place the Recreation Department under the direct jurisdiction of the District government.

Our task force, which was appointed by the Recreation Board, recently completed a 3-month investigatory survey of the programs, personnel policies, and practices of the Recreation Department. We visited numerous recreation facilities, met with all of the field and supervisory employees of the Recreation Department as well as with representatives of the private and governmental agencies involved in recreation programs. In essence, we prepared one of the most comprehensive reports prepared on District of Columbia recreation programs and needs.

We found that the recreation program in the District is ill equipped to meet the urgent needs existing in the Nation's Capital. As our report indicates, for years the Congress and the community have appeared to consider recreation as a sort of stepchild—underbudgeted,

neglected, and overlooked. In recent years with the increasing concern about "summer tensions" money and programs were frantically sought to patch up quickly organized activities aimed at cooling things down.

We found that recreation activities were fragmented and divided between the Recreation Department, the National Capital Parks, the public schools, with other agencies involved from time to time and more recently the Youth Programs Division of the District government. There has been little or no effective coordination of these activities.

It is for these reasons that we favor the reorganization plan which will result in the Recreation Department becoming an integral part of the District government. We believe that this will help eliminate the duplication and the lack of coordination among the various recreation programs and aid in the development of a greatly accelerated recreation program.

But there are still other problems that need to be pointed out and which we hope will be corrected once the reorganization plan goes into effect. I have reference to the glaring inequities and shortcomings in the present recreation facilities and programs. We found that the best services and most extensive programs as well as the best qualified specialists were to be found in the higher income areas. We therefore recommended that priority should be given to the low-income areas of the city in the allocation of facilities, programs, and personnel. Closely related was the recommendation that the overall recreation budget for the city should be tripled from the present \$7.6 million.

On the (hoped for) assumption that the reorganization plan would be approved, we recommended that a new Community Recreation Board be appointed by the Mayor, with a membership of 15, which would include representatives of community recreation councils, the young people, and the various Government agencies involved in recreation programs.

Mr. Chairman, in conclusion, we urge approval of Reorganization Plan No. 3 placing the recreation program within the District government with the added hope that Congress will provide the necessary funding to the District which will make possible the urgently needed expansion and improvement of the District's recreation program. With your permission, we would like to submit our task force report as part of our testimony for inclusion in the record.

Mr. BLATNIK. Is that your task force report?

Mr. SEGAL. That's right.

Mr. BLATNIK. That will be filed with the subcommittee but will not appear in the printed proceedings, merely for purposes of economy. It will be available for all members of the committee and the other persons interested in the proposal.

Maybe we will start with you, Mr. Segal. I did not realize that funding was such a serious problem. Your recommendation is that the present \$7.6 million be tripled by Congress, is that correct?

Mr. SEGAL. Yes, sir.

Mr. BLATNIK. Who would present the budget request to the Congress? That would go to the District of Columbia Committee, would it?

Mr. SEGAL. Yes. What we visualize—

Mr. BLATNIK. Maybe you would help us. Who would submit the original budget request?

Mr. THOMAS. The Board has the responsibility to submit the budgetary request.

Mr. BLATNIK. Directly to the Congress?

Mr. THOMAS. No; it goes by way of the Budget Bureau and then to the Congress by way of the city Budget Office. The Bureau of the Budget and the City Council also have a say-so in its ultimate form, because the Mayor's office and the City Council can eliminate budgetary items from the recommendations. So that the Board's budget, by the time it is ultimately approved, is unrecognizable as far as the original requests are concerned after it runs the gauntlet of the City Council, the Bureau of the Budget, and the proper Appropriations Subcommittees of both Houses of Congress.

Mr. BLATNIK. Mr. Hughes, would you have any comment to make? I am particularly interested in why the budget is so greatly inadequate.

Mr. HUGHES. I think, first, Mr. Chairman, on the procedure under the plan, the recreation budget would become a part of the budget of the District of Columbia and would follow the same channels as the District of Columbia budget follows as a whole and would—

Mr. BLATNIK. Part of the total budget which is then presented to the District of Columbia Committee.

Mr. HUGHES. That would be the case under the plan. With respect to budget levels, I am not familiar in detail with who has taken what from the recreational budget of the District, but I think at least a substantial part of the problem is the fact that the Recreation Board as a separate entity and one of many separate entities competing, in a sense, for District of Columbia funds has found it difficult to make its case fully, perhaps even in the District government. I don't think the Bureau of the Budget should be exonerated from all responsibility in this. As Mr. Thomas has pointed out, the Board has had a series of hurdles, in effect, to jump in making its budget requests and missing any one of the hurdles is a fairly painful process in a budgetary sense.

Mr. BLATNIK. Mr. Hughes, would you have any figures, or could you get them later on for the record if they are not available at this time, on the recreation budget for other cities of comparable size?

Mr. HUGHES. We will try. I don't have any with me, Mr. Chairman. We will try and provide some figures for the record.

(The following information was subsequently submitted:)

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., May 20, 1968.

Hon. JOHN A. BLATNIK,
House of Representatives,
Washington, D.C.

DEAR MR. BLATNIK: During the hearings on Reorganization Plan No. 3 of 1968, the question was raised as to how recreation expenditures in the District of Columbia compared with recreation expenditures in other large cities. The National Recreation & Park Association has supplied us with figures on program budgets of larger municipalities which have separate recreation departments. These figures, to the extent that they are actually comparable, indicate that, on a per capita basis, the budget of the District of Columbia Board of Recreation is slightly above average. The table showing this relationship is enclosed.

However, these figures do not really tell us very much, it seems to me. Most cities not only supply recreation programs of their own through a variety of municipal agencies, but very frequently county and State programs represent significant inputs into the municipal recreation package. The District is city, county, and State rolled into one. On the other hand, the National Park Service

makes a significant contribution to recreation resources available to the District citizen. Moreover, figures are not readily available to indicate for these cities the magnitude of existing problems or the scale of the capital development programs devoted to recreation facilities.

In sum, I think the recreation problems of the District—as of any city—will need to be evaluated in its own terms, and decisions respecting allocation of available resources to recreation will have to be made in the light of overall local needs and priorities.

Sincerely,

PHILLIP S. HUGHES,
Deputy Director.

NATIONAL RECREATION & PARK ASSOCIATION

FROM THE PARK AND RECREATION YEARBOOK 1965—EXPENDITURES FOR FISCAL YEAR 1965

Cities ¹	Population	Program budget	Per capita expenditure
1. Cincinnati, Ohio.....	500,000	\$1,307,850	\$2.61
2. Cleveland, Ohio (Board of Education).....	858,000	2,691,993	3.13
3. Milwaukee, Wis. (Board of Education).....	765,000	2,713,837	3.58
4. Philadelphia, Pa.....	2,200,000	11,384,680	5.15
5. New Orleans, La.....	900,000	900,000	1.00
6. Columbus, Ohio.....	750,000	3,208,100	4.27
7. Pasadena, Calif.....	200,000	429,345	2.12
8. Jersey City, N.J.....	276,101	1,350,000	4.87
9. Providence, R.I.....	191,000	742,368	3.88
District of Columbia.....	800,000	2,309,000	4.14

¹ Major cities of 200,000 and up with separate recreation departments.

² 1965 actual.

Mr. SEGAL. Mr. Chairman, I wonder if I might just comment on this point and give some rationalization or reason for the recommendation that the present budget needs to be at least tripled in light of the urgent needs that have developed and have existed in the District.

One case in point is that we found in our investigation that the best equipped recreation center in the city was the Chevy Chase Community Center. Now, that building has been condemned, so to speak, and to rebuild it is going to cost \$920,000—at least \$920,000. Our contention is that this type of recreation center is needed in all the areas of the city, especially the poverty and low-income areas, and if you were to build, for example, just seven of these centers, it would take up the entire budget, the entire present budget that the Recreation Department has. And when you add to it the need for upgrading and improving the facilities, the need for having a more imaginative and more innovated program, you could see why we recommend this figure.

Mr. BLATNIK. Any questions, Mr. Reuss?

Mr. REUSS. Thank you, Mr. Chairman.

To me, this is clearly an excellent reorganization plan. I am glad it is before us. When the Reorganization Plan No. 3 of 1967, the basic reorganization, was before us last year, there were some 432 separate functions that were transferred under that plan. Had you subdivided them into 432 reorganization plans, which happily you did not do, you could have immobilized the Congress for years to come.

I note that there was a great deal that was not accomplished by Reorganization Plan No. 3. Some of the things that should have been done are now being done under Reorganization Plans 3 and 4 of 1968, but I notice that there are all kinds of functions still left lying around in the District of Columbia which are not under the Mayor-Commis-

sioner—the Public Service Commission, the Zoning Commission, the Board of Zoning Adjustment, and several others.

My question is addressed to Mr. Hughes. Will there be an effort made to group some of these future reorganization plans so that they may be submitted in toto rather than too much subdivision? I am just thinking of the quality of attention which the Congress can give to the proposals.

Mr. HUGHES. I think your concern is a very proper and legitimate one. We will give consideration to grouping functions. We have been somewhat reluctant to group because, in the process of grouping, plans which are not necessarily controversial may become controversial. And it is not always easy to tell at the outset which is which. But both for our own benefit and for this committee's and the Congress we would like wherever we can to deal in reorganization plans with as large blocks as possible because it does greatly simplify consideration.

Mr. REUSS. Thank you very much.

Mr. BLATNIK. Mr. Erlernborn.

Mr. ERLERNBORN. Thank you, Mr. Chairman. I am sorry that Mayor Washington is not here. He will be back in a few minutes?

Mr. BLATNIK. He will be back in a few minutes. I have some questions, too, to ask him.

Mr. ERLERNBORN. But I notice that both Mr. Segal and Mr. Thomas have mentioned that they would hope that there would be created an advisory board after the abolition of the Recreation Board. And I also note that Mayor Washington's statement does not make any reference to a successor board. Has there been any discussion with the Mayor as to the possibility of a successor advisory board?

Mr. THOMAS. We had a conference with the Mayor, and it included, I believe, Mrs. Stern and one other Board member, oh, several weeks ago. At that time, the Mayor indicated that he would be interested in knowing how the Board felt about a future board; and he also invited us to submit to him our recommendations relative to a future board. And this is the format that we have come up with as far as our recommendations are concerned for a future board. And we will have further discussions with him.

Mr. ERLERNBORN. You are fairly well assured that some successor board will be appointed?

Mr. THOMAS. The Mayor indicated that he was amenable to the formation of a successor board. He made no—

Mr. ERLERNBORN. No commitment.

Mr. THOMAS. No commitment, but he indicated that if we would tell him what we wanted, then he would give it serious consideration.

Mr. BLATNIK. Would the gentleman yield?

Mr. ERLERNBORN. Certainly.

Mr. BLATNIK. Was your proposal submitted as a formal proposition in writing?

Mr. THOMAS. It was not. It was not; no. It has not been submitted as a formal proposition to the Mayor.

Mr. BLATNIK. I see, but this has been discussed with the Mayor.

Mr. THOMAS. This has been discussed with him orally in his office, and we will submit the format that we have included in our testimony to the Mayor at an early date.

Mr. BLATNIK. Fine.

Mr. SEGAL. Our task force is meeting with the Mayor actually this noon. We are going to discuss this kind of proposal that you suggest.

Mr. ERLNBORN. Well, I note that at the present time the District of Columbia Recreation Board is rather broadly representative of the various groups in the District and has the power to make rules and regulations. The District Council for present municipal functions is broadly representative of the residents of the District and has the power of making rules and regulations. I wonder what is the rationale of putting the rule and regulation-making power for recreation in the Commissioner and not having a public forum so to speak for establishing rules and regulations and policies. You do it through the District government. You have already done it in the past through the Recreation Department. Now, we are concentrating the rule and regulation power in the Commissioner and not having this by law at least—there may be, by agreement some policy committee, but by law you will not have any group broadly representative of the residents of the District with the power to make rules and regulations.

Mr. THOMAS. This is true, and this is, I think, in essence, what the reorganization plan is all about. In essence, it is to give the Mayor-Commissioner the authority to issue directives, so to speak, consonant with his new powers. Whereas now, the Board, on occasion, would have to meet perhaps with the Board of Education or with the National Park Service, and there is a time gap between a proposal and its effective operation, or before it could be put into effect. But here, if this plan goes into effect, the Mayor will, because of his own authority, be able to immediately coordinate and facilitate the operations—recreation operations—between the Board of Education, between the National Park Service and any other recreational facilities that might exist without going through the cumbersome procedure of awaiting a Board decision.

Mr. ERLNBORN. Well, maybe my question would be clearer if I would put it this way. For what reason do you believe the District Council is left out of this picture? Apparently, the only authority they will have, since the authority under the law is to be concentrated in the Commissioner, will be over the budget. Other than this, however, the power to formulate policy will bypass the Council, the group that is broadly representative of the residents of the District.

Mr. THOMAS. Well, I do not know that I could speak too much to the advisability of the division of authority here between the Council and the Mayor. I was under the impression that the reorganization plan itself outlines the proper division of authority in the new—

Mr. ERLNBORN. I do not see any mention of the Council at all in the reorganization plan. It seems to take all of the powers of the present Board and concentrate them in the Mayor-Commissioner.

Mr. THOMAS. I meant the original reorganization plan that formed the Council and set up the Mayor and the City Council. I was under the impression that that plan delineated the authority of the Mayor and the Council, and this would fit into that—

Mr. ERLNBORN. As to the functions being transferred in that plan, yes, but here the plan specifically puts the functions in the Mayor-Commissioner without any reference to the Council.

I think Mr. Hughes wants to comment on this.

MR. HUGHES. I think the key point, Mr. Erlernborn, is with respect to the kind of functions we are talking about. Obviously, the District of Columbia Council's quasi-legislative responsibilities are vested in the Council by the previous plan and would remain there. What we are talking about here are essentially administrative authorities of the sort that I think we would generally agree any administrator should have. The budget control which the Council has is the key program control in many respects. We did consider the question of whether some of these regulations were significant and sufficiently of a policy nature to warrant placing them in the Council, but it seemed to us quite clear that they were of a routine and administrative character like, for instance, entering into agreements by which facilities are made available, prescribing rules and regulations governing the payment of night differential, providing by agreement for the maintenance and improvement of playground and recreation areas and facilities—all of these within the general framework of the statutes that are applicable to the District and also within the general framework of those quasi-legislative responsibilities which the District of Columbia Council already has.

So I think Mr. Thomas put it properly when he said the heart of the plan is to place in the Mayor-Commissioner administrative responsibilities which, at least as we see it, are well within the normal compass of administration of a city government.

MR. ERLERNBORN. It has just been called to my attention that plan No. 3 of last year that established our new District government gave to the Council such rulemaking powers as the making of rules and regulations for the management of a public convenience station and financing charges for the use of such station, and other things of that sort.

My question really is this. What will the overall policy be as to the type of recreation program that there is going to be and where the services will be concentrated. Will we continue to have better facilities in Northwest Washington to the detriment of Southeast or Northeast? These questions have been decided up till now by the District of Columbia Recreation Board. The Board was established in a way that gave representation to, I think, elements that should be considered, the Board of Education, park, District, civic groups and so forth. Now, with the abolition of this Board, this power is being transferred to the Commissioner without reference to the Council, and unless the nonlegal Advisory Board is established to help the Commissioner make these decisions—and there is no requirement that he do that in this plan—then you are not going to have any group broadly representative of the various interests in the District of Columbia making these decisions. And as a matter of fact, even if the Mayor does appoint an advisory group, it will be nothing more than that, just advisory.

MR. HUGHES. But, Mr. Erlernborn, the question, for instance, of the location of recreational facilities is the heart of the planning process that goes into the preparation of the budget, and the Council must be directly and intimately involved in these kinds of decisions. These are important decisions. The Mayor and the Council under the terms of the previous plan share them in a fashion spelled out there.

MR. ERLERNBORN. Well, as I recollect, the Council does not establish the budget.

Mr. HUGHES. No, but it reviews it and may modify it.

Mr. ERLENBORN. They may refuse to accept a particular line item or something like that.

Mr. HUGHES. Or change it.

Mr. ERLENBORN. But why are they not in on the original planning? Why do you not have this Council, as a group broadly representative of the residents of the District, in on the planning for the recreation program? Why are you concentrating this all in one man?

Mr. HUGHES. Well, I think the normal process of administration is to provide—I think the Federal Government is perhaps a parallel situation—to provide within an executive entity for the initiation of proposals and for their review, modification or investigation by a legislative or legislative-like body. This is the pattern for the preparation of the budget as it is now established in the District. Of course, the legislative body, in this case the Council, can initiate also.

Mr. BLATNIK. Mrs. Stern had her hand up before.

Mrs. STERN, you are recognized.

Mrs. STERN. At one point I sat down to find out what the budget-making process really was, and I find 45 places where the budget could be cut from the time it left the desk——

Mr. BLATNIK. How many?

Mrs. STERN. Forty-five. I am sorry I did not bring——

Mr. BLATNIK. That really is an obstacle course; is it not?

Mrs. STERN. But from the time it left the desk of the man who was requesting the item until it got back, usually cut out. I just think that this would clean up this cutting system and that you would have a more direct way of funding programs. This is, I think, the whole point of putting it under the Mayor. He may well designate the Council as his advisory board as opposed to the Board that Mr. Thomas has suggested or Mr. Segal has suggested, but the problem is money. Hopefully, this will be an effort——

Mr. BLATNIK. Yes; in addition to funding, we understand the point you make, but what Mr. Erlenborn is pointing out, and I am too, is, Do you have a broad enough representation, both laterally and in depth, of the community to do the actual planning to meet the real needs on an equitable basis regardless with the funding that will be made available? I believe that is the issue; is it not, Mr. Erlenborn?

Mr. ERLENBORN. It is, plus the fact that now you have a Recreation Board that by law must hold public hearings. It has to have its meetings at stated times and places and all meetings are open to the public and the public can participate, I presume, the public can at least act as observers of what the plans are, when they are being formulated. Now all of this authority will be given to the Mayor-Commissioner who is not required by law to hold any public hearings. None of this planning will be done with the advisory help of the public or with public scrutiny unless the Mayor wishes to do so and unless the Mayor appoints an advisory committee who by law will not be required to hold public hearings.

I just think that though the intentions are good, and it may work out in practice, we should be aware of the fact that we are removing from the public domain the power to establish the plans and programs for recreation in the District and will not be required by law to allow the public to participate or even observe this planning process. And it just is curious to me that no part of this authority is given to the

Council which also by law must hold public hearings and I presume would allow the public to express themselves.

Mr. BLATNIK. Mr. Segal has a response, I assume, on this same point.

Mr. Segal.

Mr. SEGAL. Yes, I just wanted to comment just from another point there. Our task force considered the points that you raised, and we felt that the overriding need was to have the District Recreation Department become part of the District government. But in light of some of the points you raised and making the additional point that perhaps no function of the city needs to be more responsive to the community needs than recreation, it is because of that that we recommended the formulation or appointment of the community advisory board.

Now, there are nine regions that the Recreation Department is divided into. So our suggestion was to have a representative from each of the regions on this board, elected by the people in the region, in addition to having two youth representatives and representatives appointed by the various agencies involved. And our thought was that these people would, in effect, develop the kind of needs they have in their communities, the kind of recreation needs they have, make budget proposals and suggestions. And on the basis of this, the way I visualize it, we would actually have a more responsive board with no slights intended to the present board, but really a much more responsive board, responsive to the community needs than we have had in the past. And, of course, the Mayor is here and can speak for himself in terms of what his intentions are, but this was the thinking of the task force in considering the points that you raised.

Mr. ERLBORN. Yes, maybe I could restate the question.

Mr. BLATNIK. Mayor, to bring you up to date, we were discussing not only the need for much greater funding—the recommendation has been made that the present fiscal level of \$7.6 million for recreational purposes in the District of Columbia should be tripled, in addition to approving the amount of the funding and the procedure for budgeting and funding—but the question of how much, or to what degree, will there be representation of the community in planning of these programs.

Mr. Erlenborn, will you restate your earlier proposition?

Mr. ERLBORN. The sentiment I was expressing in the form of question was the fact that presently the District of Columbia Recreation Board is broadly representative of the community. By law they must hold their meetings at stated times and places, and meetings must be open to the public so that they can at least observe and hopefully participate in the deliberations of the Board in establishing policy for recreation in the District, establishing the overall plan.

Now, all of these authorities are being transferred to the Mayor-Commissioner; who by law does not have to have any public hearings or allow the public to participate in establishing the recreation plans for the District. My real question was why was this authority for planning not given to the Council, which is broadly representative of the residents of the District and must hold public hearings.

Commissioner WASHINGTON. I would think that might even be counterproductive. I think the matter that we are concerned with is

first to get a so-called "handle" on the situation within the framework of the District.

Secondly, I believe the matter of representation and broad representation of the citizens is a primary concern of mine, and I propose that an appropriate advisory committee or an appropriate body be established to include the broadest cross section of citizens possible and particularly the youth. Since I have been in this position, I have upon recommendation appointed two youngsters to this Board in order to further implement it and give it some vitality related to the younger people's interest.

I think, Mr. Congressman, we have a real opportunity here to gain a form of citizens' participation in recreation, in leisure time activities, and in cultural enrichment which will be significant and in which they will be able to participate.

I am right now, for instance, in the process of arranging for citizens' participation in model cities. The development of Fort Lincoln, which is the National Training School site, is a response to the whole question of citizens' participation. And I believe that this would be simply one other aspect of it. The Council will have many roles here. They will have the role, first, of reviewing the budget and holding hearings on the budget which will be obviously related to the recreation plan, and they will be assisting the Department in this fashion.

They will, also, from time to time, at my request, just as they do in hearings on housing, have an opportunity to look at some of the regulations. We have a serious problem in the matter of permits which needs to be updated. The Council will have, I think, a rather substantial role in many of the policy areas. But beyond that—

Mr. ERLNBORN. The rulemaking power will be concentrated in you.

Commissioner WASHINGTON. Yes.

Mr. ERLNBORN. The present rulemaking power of the District of Columbia Recreation Board will be given to you.

Commissioner WASHINGTON. Under this proposal, yes.

Mr. ERLNBORN. Whereas, with parks and other things under the reorganization plan of last year, the rulemaking power was given to the Council.

Commissioner WASHINGTON. With respect to the parks?

Mr. ERLNBORN. Yes. I was just reading, for instance, that the establishment of public-convenience stations and the charge to be made therefrom was one of the functions that the present Council has given last year under the reorganization plan, also setting aside space in the streets and avenues for parking purposes, denominating portions of streets as business streets, jurisdiction over parking, and so forth. All of this rulemaking power—

Mr. HUGHES. Many of those authorities are rather basic zoning responsibilities that I think are traditionally council-type functions.

Commissioner WASHINGTON. And technically, Mr. Congressman, I might say that the Council has already taken a group, closing of streets, for example, and turned them back to me. I am not saying I am happy about getting them, but I do have them now.

However, I do not believe we have a serious problem here. The nature of the format on involving broad citizens' participation seems to be a crucial point here. I assume any mayor that is worth his salt would want, in a program as significant as this, which goes to the

heart of what the whole youth problem is, to have a viable mechanism for citizen participation. I have already talked with the present members of the Board along these lines and asked them to come up with a recommendation. I expect to talk with them after this meeting. But on the rulemaking question, I do not see that as a serious problem. It is one that I would be concerned about, as you are, if we did not recognize it.

Mr. ERLNBORN. Do you feel that the budget for recreation will receive greater attention as a line item in the overall budget, greater attention than it did when it was the budget of the District of Columbia Recreation Board and had them as its champion? Now, it will be just one item in your overall budget.

Commissioner WASHINGTON. Well, I think that is again why it is necessary to develop a citizen mechanism and develop a formidable body of support for the recreation budget. I mean a real formidable one, because I think the budget, as I indicated earlier, is not only paltry, I think the whole program of recreation has been neglected to a degree that I think is unfortunate. In any city it speaks to the whole youth problem. It speaks to enrichment and leisuretime activities of your entire population, every age group. I believe that virtually from the kindergarten through the old people, we should have programs that speak to the needs of this city, and particularly in the area of teenage activity where we can use leisuretime programs not simply for play activities but as real youth developmental programs—the expansion of the entire concept. I think that we should create a mechanism here where we indeed seek out all over the Nation funds from foundations and other places, and it should be done with some resolve, and that money should come in for experiments and demonstrations in the area of leisuretime activity. This is a big business. It focuses on one of our most serious problems, the delinquency problem. I believe if this dedicated Board had had this opportunity to function as they might have and with the full weight of the city government behind them, and with the leadership of the government behind them, that this program that I speak of might have been further along than it is today. But I have great faith that the citizens here, given an opportunity to participate, will support a greater budget and a broader operation in the Recreation Department.

Mr. ERLNBORN. Well, in the interest of time of my colleague I am not going to ask any more questions, but I will just make the observation that I hope you will implement the proposal of an advisory committee when the plan becomes law, as I am sure it will. There is not a resolution of disapproval pending. An advisory committee should be appointed or the Council should be given authority to deliberate in open hearings so the public can have a place to express themselves, as they have had up till now by law. Just to appoint an advisory committee that meets in some room that nobody knows about and the public does not have a chance to participate could not, I believe, be sufficient. I think you would have to have this open to the public to allow a greater participation in the formulation of plans.

Thank you, Mr. Chairman.

Commissioner WASHINGTON. I would agree with you, sir.

Mr. BLATNIK. Our distinguished chairman, Mr. Dawson, is with us this morning. Mr. Chairman, we appreciate not only your being here, but I want the record to show, as most of the witnesses know,

that the distinguished chairman is never too busy to be present. As far as I can recollect, and I am sure I am correct in my recollection, the chairman has never been too busy to be at any single reorganization plan hearing, whatever it may be—large, intermediate, or small—to personally listen to the testimony and to observe the procedure. We appreciate it very much, Mr. Chairman. On my left, are there any other questions?

Mr. BROWN. Yes.

Mr. BLATNIK. Mr. Brown.

Mr. BROWN. Mr. Commissioner, I seem to feel from listening to this colloquy between you and my colleague, Mr. Erlenborn, that you both agree on the value of broad representation in the preparation of the recreation program, but the only area of disagreement is whether or not this should be specifically written into the reorganization plan, is that correct?

Commissioner WASHINGTON. I do not know that I disagreed with it. I did not think that it was necessarily a factor that I thought was significant. I thought that what we were talking about was trying to get administrative machinery within the boundary, or umbrella of our total government so that the matter of representation and mechanism for citizens' participation could then be worked out. I think we may have difference of opinion on this, but I was not in debate.

Mr. BROWN. Well, my question is, Do you think this should have been or should be written into the reorganization plan?

Commissioner WASHINGTON. I do not think it is necessary. I think the plan in its present form is adequate.

Mr. BROWN. Well, now what about the next Commissioner? If we have someone who is not as dedicated either to recreation or to citizens' participation, what protection do we—do the citizens of the community have who are interested in citizen participation in the planning of recreation programs?

Commissioner WASHINGTON. Well, I think the Council certainly could be a part of the machinery as it is worked out. Their involvement in the budget and the whole budget process, which is a very substantial and controlling element, will have a great deal of bearing on what we do and how we move this.

Mr. BROWN. But not by regulation, just by tradition.

Commissioner WASHINGTON. Well, the control over the budget process is rather substantial, it seems to me.

Mr. BROWN. I am talking really about the citizen participation in the advisory committee to the Recreation Board; in other words, the growth of this program from the ground up.

Commissioner WASHINGTON. Well, my only reaction to that, Mr. Congressman, is along the lines I have indicated. I think it is basically administrative machinery that we are talking about here. And I think that under the present legislation it could well be handled. The extent to which—

Mr. BROWN. Well, but it could also well be ignored or avoided, could it not?

Mr. HUGHES. I do not see how it could, Mr. Brown, if you would not mind. The Council is a standing body which will be concerned with regulations in what I would consider the more fundamental sense. It also is concerned on a continuing basis with the planning,

the budget planning for recreation and for all other aspects of city life. And if the Mayor in any given situation does not do right by that aspect of the budget in the judgment of the Council, it seems to me the matter is automatically in the public arena and a matter for debate.

Obviously, a citizen advisory group, which was representative, would always have a continuing interest in the proper conduct of the recreation business of the community, and I would think in a subsequent administration it would be hard to silence in the kind of circumstances where the Mayor, for one reason or another, differed with that body or with the Council on how business should be conducted.

Mr. BROWN. Yes. You were discussing budget, and the question of regulation also comes into this, and program and so forth.

Mr. HUGHES. Regulation is, I think, an overstatement really; that is the point I was trying to make with Mr. Erlenborn. We are talking about the administration of a recreation program and not about what I would consider legislative or quasi-legislative functions of the sort that are vested now in the Council. We are talking about the administrative machinery to run a recreation program, hours, who uses what when, and those kinds of things.

Mr. BROWN. Well, it just seems to me—and I agree with my colleague, Mr. Erlenborn's implicit comments in this regard, that if the Council had been given in this reorganization plan the rule and regulation making authority rather than having all of that authority concentrated in the Commissioner, that you would have one more protection for, if you will, self-government. Of course, the Council is an appointed group, too, but you would still have one more method of getting—

Mr. HUGHES. A broader forum.

Mr. BROWN (continuing). Getting this as the Commissioner pointed out, very important area in the hands of the people of the community. Now, this is what I think ought to be the function of representative government. And I would like to ask the Commissioner, who prepared this reorganization plan?

Commissioner WASHINGTON. I think we all had parts in it. Of course, the entire governmental group, both administrative and legislative, went along with the Bureau of the Budget participated.

Mr. BROWN. In other words, the Council participated in the consideration of the aspect of this plan?

Commissioner WASHINGTON. In some of it; yes. And I do not think we have a debate here from my standpoint, Mr. Brown, on that subject. The question was whether or not we would have any feeling about adding rulemaking power to the Council. I think the Council has broad rulemaking powers. And as I indicated in discussing housing, we frequently call on them. I would certainly not object to the rulemaking powers here. The question that I have is if you are going to have a citizen group—and this is where it gets sticky—if you are going to have a citizens advisory group, or whatever you are going to call it, and then you have a Council with rulemaking powers, too, who is going to come up with—

Mr. BROWN. Now, the citizens advisory group, as I understand the reorganization plan before us, is not specifically called for; is that correct?

Commissioner WASHINGTON. Not specifically called for, but if you established it, you would certainly have certain rulemaking responsibilities.

Mr. BROWN. Well, Mr. Commissioner, my only objection—my only concern, and it is not a deep enough concern I guess to object to the plan, is that the rulemaking and regulation powers are placed in the hands of the Commissioner, and there is no citizens advisory group called forth in the plan. Now, Mr. Thomas recommends eight objectives for this governmental change which I think are all laudible.

Commissioner WASHINGTON. I do, too.

Mr. BROWN. Will you accept them?

Commissioner WASHINGTON. Absolutely.

Mr. BROWN. Will the next Mayor accept them?

Mr. BLATNIK. He cannot answer that.

Commissioner WASHINGTON. I do not think you expect me—

Mr. BROWN. That is exactly the point. I do not think you can speak for the next Mayor.

Commissioner WASHINGTON. Well, I would not think I could.

Mr. BLATNIK. The Chair would like to object here. The Mayor did not propose to speak for any future Mayor—and I am sure it was intended that way with your question—any more than we can speculate on what the next Congress may or may not do.

Mr. BROWN. Yes, sir. That is the point I am trying to make.

Mr. BLATNIK. I think the record should show—I think it is known to those who are familiar with reorganization plans—that there is nothing to prevent any Member of Congress or any succeeding Congress to introduce any other legislation to improve, broaden, or clarify the organizational structure of any part of the District of Columbia. There is nothing to prevent any future administration from coming up with any further amending or clarifying reorganization proposals. Is that not right, Mr. Hughes?

Mr. HUGHES. That it certainly is, Mr. Chairman. I would like to suggest a line of approach here. I think the major point in question is the nature of the "regulations" that we are talking about, and I would be happy to work with you, Mr. Chairman, and Mr. Brown and the committee staff, to examine in some detail the kinds of things that we are talking about here. And I believe very sincerely that we can satisfy you that these are administrative things and they are the kind of things that this Council and other city councils would not want to be burdened with.

I suggest that as a line of approach here. I think the basic question really is what we are talking about by way of "regulations," and I think we are talking about very pedestrian "regulations" indeed.

Mr. BLATNIK. Mr. Brown.

Mr. BROWN. Yes, if you will permit me, the point I am trying to make is a very simple one. It is that if we are going to have a government of laws and not of men, then we must write into the law that which we would like to have the law contain. And it is my feeling that a step which puts the regulation and rulemaking power completely in the hands of a single administrator is not a good fundamental step toward representative government.

Now, I would also submit, in response to a comment you made, Mr. Hughes, that the idea of a government in this country whereby the Executive initiates and the Legislature vetoes is a good, strong

step away from the Magna Carta. I would hope we have made some progress since then. I would like to suggest that perhaps if this proposal had been initiated through the regular legislative process, rather than coming in as a reorganization plan from the administrative branch of the Government, the procedure by which it could have been done in the former way would have allowed us to make a simple amendment to incorporate the recommendations made by Mr. Thomas. As it is now, we must accept the plan as it is, as the administration prepared it, or veto it in the reverse legislative process by which the reorganization plans are presented. If accepted, we freeze into the law this idea that we have set this up with the Commissioner in control of the regulation and rulemaking authority without an advisory council provision written into the law. And I am not sure that that is altogether good. I think it may be better from the standpoint of administration, but I am not sure it is better from the standpoint of representation of the interested parties in the community.

Now, if I may, I would like to ask just one other question. Mr. Thomas suggested that this would assist in the improvement of the budget allowed for recreation in the community, and this has been the implication of this whole reorganization plan.

How will this assure the provision of more funds for recreation in the city of Washington?

Mr. THOMAS. Mr. Brown, when I wrote that it was with the thought that the Mayor's office, with the prestige that it carries and knowing that the Mayor's office is interested, vitally interested in recreation, that that office would, with its prestige in support of recreation budgets, carry great influence in helping to get the budget through the various processes that we touched upon earlier; and it was for that reason that I mentioned that. It was merely because of the prestige and the vantage point of the Mayor's office that I felt that rather than as now—of course, the Board does support the budget but the Board does not necessarily have the all-out support that would initiate and/or originate in the Mayor's office.

Commissioner WASHINGTON. I would like to react to that just for moment, too, Mr. Brown.

I do not think that the reorganization itself, per se, has any relevance to additional funds. I think there is a recast of the function of a department, as I see it, and as I have read the report of the Citizens Task Force which suggested that there is something inherently wrong there—I think that the recast of the functioning of the department into the whole delinquency area, the whole cultural enrichment area, the entire youth promotion area, plus the development of what we are now going into—of a programmatic budget, that is, a budget based on programs, will indeed cause this budget to go beyond what it is now. I think that the qualifying for certain programs in the delinquency area (some that HEW, for instance, sponsors) would bring additional funds in here. It is not that this has not been done. It is just that a breakdown of this program into programmatic areas seems to me to be imminent, and it seems to me that we should do it. In doing this, it puts you in a position to compete for foundation funds, as well as other Federal funds based on the recast of a recreation program that goes beyond only recreation and gets into the prevention of delinquency.

Mr. BROWN. Well, if I may respond to that, I think that it would also increase the potential if broad support came from the community. I think your original statement that it will not in and of itself improve the availability of funds from public resources, the tax funds, and so forth—

Commissioner WASHINGTON. From the District budget you mean.

Mr. BROWN. From the District budget is probably quite accurate. I have taken quite enough time, I am sure, and I have a colleague who may wish to ask some questions. I would comment also that if you find some good foundations that are anxious to give money for the development of recreation programs within communities, I hope you will share that with some of us who are more directly representative of communities of some size back in our own constituency and who are also looking for funds to broaden their recreation programs.

Commissioner WASHINGTON. Well, Mr. Brown, I might just say as a result of my experience last year in New York and here, I know that there are some possibilities. I would be very happy to share the information, but the resources I think I am going to keep for myself.

Mr. BLATNIK. Mr. Edwards.

Mr. EDWARDS. Thank you, Mr. Chairman, I think it is a good plan and much needed and I support it.

Mr. BLATNIK. Thank you very much.

Mr. Segal, we thank you very much for a very interesting and helpful presentation; and the same to you, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Chairman.

Mr. BLATNIK. We have a statement submitted by the League of Women Voters of the District of Columbia, written by Elizabeth S. Johnson, the president, in support of Reorganization Plan 3 of 1968. The statement will appear at this point in the record.

(The statement referred to follows:)

PREPARED STATEMENT OF THE LEAGUE OF WOMEN VOTERS OF THE DISTRICT OF COLUMBIA, PRESENTED BY ELIZABETH S. JOHNSON, PRESIDENT

The District of Columbia League of Women Voters supports the President's Reorganization Plan 3 of 1968 as a further step in coordinating and focusing responsibility for the essential functions of a city government.

In Plan No. 3 the Commissioner will be given control over the Recreation Department which will bring about overall direction and coordination of recreation resources and facilitate the integration of recreation plans into the urban development programs and the program budgeting process. Yet, the league feels that this plan does not include the city's major recreation resource, the city's park lands, and that through a future reorganization these areas should be brought under the jurisdiction of the Commissioner.

Thus, because of our interest in a more efficient and centrally responsible government under the single Commissioner and City Council, we urge the Congress to permit this plan to take effect.

Mr. BLATNIK. Is Mr. William H. Waters, a member of the District of Columbia Recreation Board, here?

Mr. WATERS. Mr. Chairman, I am here.

Mr. BLATNIK. I am sorry you had to wait. We had the other scheduled witnesses. We would be pleased to hear you.

Mr. WATERS. I will submit correspondence to you.

Mr. ERLNBORN. Are you in support?

Mr. WATERS. I am not in support.

Mr. ERLNBORN. You are not in support.

Mr. WATERS. I think that you, Mr. Erlenborn, and Mr. Brown have raised some important questions.

Mr. BLATNIK. Why do we not wait just a minute, Mr. Waters. We would like to hear you and have your statement in the record.

Will you please take a chair?

Mr. WATERS. Yes, sir.

Mr. BLATNIK. Mr. William H. Waters, a member of the District of Columbia Recreation Board, is appearing apparently on his own behalf and as an individual member of the Board. Is that correct, Mr. Waters?

Mr. WATERS. Yes, sir, Mr. Blatnik.

STATEMENT OF WILLIAM H. WATERS, MEMBER, DISTRICT OF COLUMBIA RECREATION BOARD

Mr. WATERS. No doubt your staff has prepared information to give you the background which brought into being the Recreation Board back in 1942, an initiative taken here in the Congress—

Mr. BROWN. Mr. Waters, I might say I do not have that background. I do not even have the background on the people who have testified this morning.

Mr. WATERS. Prior to 1942, recreation services in the District of Columbia were administered under divided responsibility; divided between the Board of Education—Community Centers and Playground Department—and the Board of Commissioners, and the National Park Service through the Office of the National Capital Parks. The citizenry at that time, as early as 1937, took such initiative which prompted the Park Service to detail a staff to make a study of this matter. In 1942, Congress passed a Public Law 534 coordinating all recreation services and programs under a single agency, and designating the agency as the Recreation Board of the District of Columbia. The composition of the Board is referred to in the statement submitted by Mr. Hughes this morning.

I think the Recreation Board has served the community admirably. I say this from the vantage point of being a resident of the District of Columbia, by having observed the Recreation Board and its administration for many years. I will in a few days conclude 8 years of service as a member of the Board, 7 of which were in the capacity as Chairman.

It would be an understatement to say that there are no pressing needs for additional recreation service in the District of Columbia. I am not at all certain that these needs and improvement in administration can be better served by abolishing the agency as proposed in this Executive order.

It is astounding to me for Mr. Hughes to make a statement that the District of Columbia Recreation Board is an organizational curiosity. It is also astounding to have Commissioner Washington state that the Recreation Department—referring to the administrative arm of the Board—is not an integral part of the District of Columbia government. It is obvious that the Recreation Board, and its administration, is an integral part of the District government.

The relevancy raised by Mr. Erlenborn and Mr. Brown concerning citizen participation, I believe, is really at the heart of this whole matter. The Recreation Board, certainly more so than the District Building is, in my judgment, closer to the population, closer to the

people. The omissions in this proposed reorganization plan unquestionably will deny to the citizenry the opportunity to be heard at public hearings, and before public board meetings.

Rather, it seems to me that what is necessary is an awareness at the District Building by the Commissioner and City Council that there is a Recreation Board under mandate by the Congress; that it is an integral part of the District government. The Recreation Board created by the Congress is not to be considered an organizational curiosity.

I can recall, not only in my tenure but in the tenure of the Chairman of the Board prior to my appointment, that vacancies would exist on the Board for many months. Failure to fill a vacancy of a citizen member denies the community 25 percent of its representation. And long delays in filling vacancies have been all too frequent.

We have at the present time under the Recreation Act, with administration vested in the Superintendent of Recreation, total responsibility for public recreation. We have witnessed in recent years a fragmentation of recreation service and responsibility. This fragmentation started with the introduction of the poverty program. It has accelerated substantially since then because many agencies find that they have collateral or peripheral interests and embark accordingly within their own range of choice rather than recognize that the Recreation Board, under public law, has the total responsibility for public recreation in the District of Columbia. We now have recreation activities which emanate from Commissioner Washington's office, the Board of Education, and from the Park Service. This year the Park Service has introduced an extensive program "Summer in the Parks." Recreation service, in the broadest context, is, basically and fundamentally, a responsibility of the Recreation Board. To me it seems that these agencies are overzealous. If the agencies have public funds, as they do, the community will receive the best recreation service and the greatest mileage out of the funds only when channeled through the Recreation Board. This is the only way in which an agency can successfully establish policy, administer service, and develop programs for the people of the District of Columbia. This, I might add, is a charge given the Recreation Board by congressional mandate—to render service in the city of Washington, a municipality and as the Nation's Capital.

One other matter which has not come to your attention this morning: years ago, Congress at the initiative of Senator Claiborne Pell and Congressmen Frank Thompson and William Widnall introduced on the floor an amendment to the National Arts and Humanities Act of 1965, a provision designating the Recreation Board as the State Arts Agency for the District of Columbia. The Recreation Board offers and administers a substantial program in this field of endeavor.

It is interesting to note, of a very recent date, that a cultural services program which should be administered by the Recreation Board has been introduced at the District Building under the supervision of Commissioner Washington. This is another case of fragmentation—of service duplication totally outside the agency responsible therefor. If these services are desired, if funds are available as they are, it seems to make sense, at least to me, out of my experience with the Recreation Board that such services should be offered and administered by and within the appropriate agency—the Recreation

Board. For such service all that is required is a telephone call to our agency. There has never been a time when the public members of the Board and the Superintendent of Recreation were not available to service demonstrated needs with interest, determination, and with immediate response.

I can recall only one instance in which the Recreation Board has differed with Commissioner Washington (never with the former Board of Commissioners) and this was a situation not too long ago when a militant rally was to be scheduled in Georgetown. It was publicly reported that Commissioner Washington expressed concern because of community tensions. The Recreation Board, with one dissenting vote, did not accept that expressed concern, not only by the Commissioner but also by one member of the City Council who likewise had reservations about what might occur at the time. Fortunately, there was no incident because the 7th precinct of the Metropolitan Police Department and the local citizens took extensive precautions to forestall any consideration of disorder which might have occurred.

What I think is needed here, Mr. Chairman, is a strengthening of the Recreation Board, an acceptance and a recognition by the District Building and all agencies who have some interest in recreation to be fully cognizant of the fact that the Recreation Board is charged with responsibility by congressional act, has the responsibility to develop and administer the Arts and Cultural service programs in the District of Columbia within the framework of its mandate. Further the Recreation Board is one of the agencies with ex officio representation under the act establishing the John F. Kennedy Center for the Performing Arts.

The Congress might wish to (and I would suggest) examine the effectiveness of the leadership and the discharge of agency responsibilities within the range that those responsibilities can be met. And this, obviously, relates to the qualifications of the members of the Recreation Board, the ability and leadership of management, the qualifications of Civil Service personnel, and the funding.

The heart of the whole problem, as in many programs of the District of Columbia and indeed programs everywhere, involves public appropriation, because the public appropriation to a large extent governs policy, service, and staff quality.

This, I think, is the core situation. The appropriation process, for the most part, evolves in the District Building through the Office of the Budget Director. From that office it becomes the Commissioner's budget to the President, and the President's budget to the Congress for the District of Columbia. It is my observation that over the years, in light of the financial circumstances which prevail in the District, that the Recreation Board has been reasonably well treated when measured against the treatment of other agencies. Recreation is a big business now, and certainly must ask for and receive increased appropriations to provide services to a changing community which is demanding more and more. The judgment and consideration of the Congress, I think, over the years in light of the funding possibilities in the District has been reasonably generous to our agency.

The Recreation Board has many ties with the citizenry of the District of Columbia. The Board is dependent in large measure for support by volunteer groups. Many volunteer groups are closely related to the Board in providing service to all segments and sections of the

community. It is very doubtful that volunteers would continue this association under reorganization. Such a loss of community volunteer service which totaled more than 41,000¹ hours last year would be crippling to all recreation service now offered to our citizenry and to visitors.

I think that if you were to make known throughout the community (as the Recreation Board does annually for its public meetings and monthly board meetings) that you will find substantial opposition to the abolition of this agency.

Mr. Chairman, I would hope that the Congress would see fit to strengthen the Recreation Board, not abolish it.

Thank you, sir.

Mr. BLATNIK. Thank you, Mr. Waters.

Mr. Erlenborn.

Mr. ERLBORN. I just have one or two questions. First of all with reference to the funding, I think there was a figure given to us earlier of \$7.6 million annually. Would that be the budget of the Recreation Board?

Mr. WATERS. This is the administrative budget. The \$7 million plus does not include the capital funding. It does not include various other funding that come through such sources as BOR, HEW, and others—

Mr. ERLBORN. So the total funding would be greater than the \$7.6?

Mr. WATERS. Yes; it would be.

Mr. ERLBORN. You mentioned a "Summer in the Parks" program. Now, this is not through the Recreation Board but through— is this the National—

Mr. WATERS. "Summer in the Parks" is an initiative taken on the part of Mr. George B. Hartzog, who is Director of the National Park Service. I am aware, as a member of the Recreation Board, that there was no advance consultation with our agency. I can recall that a representative of the National Park Service made a presentation before our Board several months ago, and the Recreation Board, on the wheel of community groups, was put in the same bracket as citizens associations and all others. This kind and type of classification does not compliment the work of a public agency.

Mr. ERLBORN. I am advised the Superintendent of the Park Service is ex officio member of your Board. Has he participated in our—

Mr. WATERS. The Superintendent of the National Capital Parks is a member of the Board, although often represented by a staff associate.

Mr. ERLBORN. Do you know what the funding is for that program?

Mr. WATERS. No, I am sorry; I do not know what the funding is for that aspect of the parks program. The program is an effort to get children and others from the inner city into the public parks. This is a program activity, and program is really the heart of the responsibility of the Recreation Board. This, again, is what I mean by the fragmentation of recreation responsibility. And this is what the Congress wanted to overcome back in 1942 when it brought forth the public law that drew together these several functions into a single agency.

¹ 41,000 hours/716 volunteers equal 19 staff personnel.

Mr. ERLNBORN. Does the school administration have any sort of recreation, summer recreation program that they operate apart from the Recreation Board?

Mr. WATERS. Yes; to a certain extent. The Recreation Board, by contract and agreement with the Board of Education, uses certain facilities of schools, both buildings and grounds. The general concept of school planning and construction here in the District of Columbia over the years has not been developed along the lines of school-community use. The schools have been built and utilized largely for school purposes only. And in many instances they have been, although they are not now, shut down at 3:30 in the afternoon. Some, for a long time, lock up over the weekends. With a good bit of contact and persuasion, this has been overcome. In fact, on June 15, the Recreation Board will assume a large measure of the responsibility incident to the use of school buildings and grounds after the school period.

If the public wishes to use a school building or a school ground, application is made to the Recreation Board and a permit is issued. We do not grant the permit if there is any conflict with school activity, recognizing that the first business of schools is education and, consequently, there is no infringement upon school time. But after the normal school day we do service the community by providing access into approximately 120 school buildings.

Mr. ERLNBORN. Do you think that there is a valid criticism of the Recreation Board that too much of its funding has been devoted to programs in the better sections of the District, that there is not enough in the way of recreation programs in the poorer sections of the District?

Mr. WATERS. Sir, I think that is not a valid statement. I think it is a biased statement. The Chevy Chase Recreation Center, referred to by Mr. Segal, is always held up as having the best recreation program in the city. Whether this is true or not, I suppose, could be debated.

The Chevy Chase center is in a building long condemned. It will be demolished shortly after the first of July. It so happens that the Chevy Chase center is in a well-established upper middle class residential area of Washington. I do not live there. At one time I did. I went to the school in 1924. It was the E. V. Brown School. One-third of the building is sealed off because of fire hazard. Recreation has access to only one-third of the building.

The structure of our society, I suppose, is such that you likely find facilities in a more affluent area better maintained for a variety of reasons. In addition, they have programs that would not necessarily be available in other areas because the people pay for special services which do not come out of the budget dollar. And this is not referred to in Mr. Segal's report. I think upon examination, you would find facts in his report wanting, and that there is some bias so expressed.

But we have good recreation centers elsewhere in the city. They may not necessarily have the extensiveness of program, but extensiveness of program can also be measured in terms of interest of the people. Throughout the city in varying degrees we have a wide range of centers. I regret to say that some of them are not of a condition we would care to brag about. I would also say that upon examination you will find these centers to be located in public housing projects and in schools, and this classification of facilities, operated by the

Recreation Board under agreement with those agencies, are the ones about which we hear the greatest criticism.

Mr. ERLNBORN. One last question. You have expressed concern about the citizen participation, as I did in my questioning. Let us measure what our concern is here. To what extent has there been citizen participation with the existing Board? How often have you had at your meetings people from these areas who have criticized poor recreation facilities; who have come to meetings of your Recreation Board to complain about the facilities that they have; to press for additional programs or for facilities?

Mr. WATERS. Once a year we have an advertised public meeting. The most recent one was held at the Sharpe Health School at 13th and Upshur Streets NW. The meeting started at 7 in the evening and did not adjourn until after midnight. More than 100 community groups were listed on the agenda. It is a rare occasion when the Recreation Board at its monthly meeting does not have individuals and organizations' representatives present as observers or participants on the agenda to make statements, to ask for service. It is customary for the Recreation Board members, with staff assembled—the superintendent of recreation, the assistant superintendent and division directors—to respond and initiate such action as can be appropriately taken within the framework of recreation policy and the limitation of budget. But oftentimes, just to give you a point of illustration, we will have citizens come in and say we should have one more classified worker at a recreation center. As a Member of the House of Representatives, you well know that we cannot add CSC staff until the Congress authorizes the position. Our inability to provide such staff is often misunderstood, yet whenever we can service the need—and in many instances the need is serviced through assignment of staff on a per diem basis. We can never move as fast within the normal framework that we find ourselves to promptly meet the changing needs of the community. Seldom is it possible to provide all the service and facilities which the citizens request. Sometimes it takes 5 years to obtain a single recreation center. Usually very much longer.

Mr. ERLNBORN. In sum, though, you would say that the ability of the public to participate in your monthly meetings has been utilized and that public participation has been part of the Recreation Board's function?

Mr. WATERS. Absolutely. The Recreation Board meeting tonight is being held in Southeast Washington at 7 o'clock so that people in the Congress Heights area may have an opportunity to attend. This meeting, I suspect, will run until 11 or 12 o'clock in the evening. All community groups within the Anacostia area have been invited to come and share in the meeting and to address the Board.

Mr. ERLNBORN. Thank you.

Mr. BLATNIK. If there are no further questions, thank you very much, Mr. Waters.

This concludes the hearing on Reorganization Plan No. 3 of 1968.

(Whereupon, at 11:30 a.m., the subcommittee concluded its hearing on Reorganization Plan No. 3 and proceeded to further business.)

(Subsequently, the following letter was submitted for inclusion in the record:)

LODGE 2741, AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES,
OF THE DISTRICT OF COLUMBIA RECREATION DEPARTMENT,
Washington, D.C., May 11, 1968.

Chairman JOHN A. BLATNIK,
*Executive and Legislative Reorganization Subcommittee, Committee on Government
Operations, Rayburn House Office Building, Washington, D.C.*

DEAR CHAIRMAN BLATNIK: The President's statement that accompanied Reorganization Plan No. 3 of 1968 graphically pointed out the need for the District of Columbia Commissioner to assume policy supervision over the city's recreation activities.

Moreover, the employees of the District of Columbia Recreation Department feel that the President's statement and his submission of the reorganization plan was timely and sorely needed, especially in view of the recent civil disorders. If the quality of public recreation is to be improved, if it is to lose its stepchild image, the Recreation Department must become an integral part of the city government; and it must become more responsive to the needs of the community.

Therefore, the members of AFGE AFL-CIO Lodge 2741 unequivocally support the President's Reorganization Plan No. 3.

Sincerely yours,

DANIEL W. JACKSON, Jr., *President.*

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REORGANIZATION PLAN NO. 4 OF 1968

(D.C. REDEVELOPMENT LAND AGENCY)

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HEARING

BEFORE A

SUBCOMMITTEE OF THE COMMITTEE ON GOVERNMENT OPERATIONS HOUSE OF REPRESENTATIVES NINETIETH CONGRESS

SECOND SESSION

MAY 14, 1968

Printed for the use of the Committee on Government Operations



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(II)

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COVERT

1. The following information was obtained from a confidential source who has provided reliable information in the past and who has provided information in the past which has been verified by other sources.

2. The following information was obtained from a confidential source who has provided reliable information in the past and who has provided information in the past which has been verified by other sources.

3. The following information was obtained from a confidential source who has provided reliable information in the past and who has provided information in the past which has been verified by other sources.

REORGANIZATION PLAN NO. 4 OF 1968 (DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY)

TUESDAY, MAY 14, 1968

HOUSE OF REPRESENTATIVES,
EXECUTIVE AND LEGISLATIVE
REORGANIZATION SUBCOMMITTEE
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C.

The subcommittee met at 11:30 a.m., in room 2203, Rayburn House Office Building, Hon. John A. Blatnik (chairman of the subcommittee) presiding.

Present: Representatives John A. Blatnik, Henry S. Reuss, John N. Erlenborn, Clarence J. Brown, Jr., and Jack Edwards.

Also present: Representative William L. Dawson, chairman, Committee on Government Operations.

Staff members present: Elmer W. Henderson, subcommittee counsel; and William H. Copenhaver, minority professional staff.

Mr. BLATNIK. We now move on to Reorganization Plan No. 4. We have Mr. Hughes and Mayor Washington still remaining. We will call Neville Miller, Chairman of the District of Columbia Redevelopment Land Agency. Mr. Miller, is Mr. Appleby with you?

Mr. MILLER. Yes, sir.

Mr. BLATNIK. Is he to testify in any way at all?

Mr. Appleby, why don't you join Mr. Miller? Thomas Appleby, Executive Director of the District of Columbia Redevelopment Land Agency.

Reorganization Plan No. 4, very briefly, places in the Mayor-Commissioner the power now held by the President to appoint two members of the Board of Directors of the Redevelopment Land Agency. Now, as I understand, the Mayor already appoints three members. This plan will give him authority to appoint all of the five members. The plan also transfers to the Mayor the authority to prescribe the rules and regulations governing the conduct of the business of the RLA now being prescribed by the RLA Board of Directors. This will enhance his power to guide the urban renewal program in the District.

(Reorganization Plan No. 4 of 1968 follows:)

(1)

[H. Doc. 279, 90th Cong., 2d sess.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES, TRANSMITTING REORGANIZATION PLAN NO. 4 OF 1968 ON URBAN RENEWAL, WHICH WOULD TRANSFER AUTHORITY TO APPOINT RLA BOARD MEMBERS FROM THE PRESIDENT TO THE DISTRICT OF COLUMBIA COMMISSIONER AND GIVE HIM AUTHORITY TO PRESCRIBE RULES AND REGULATIONS FOR THE RLA

To the Congress of the United States:

Urban Renewal is a vital weapon in the Nation's attack on urban blight and physical decay. In the firm hands of a local executive determined to improve the face of his city, it is a powerful tool of reform.

In the District of Columbia, urban renewal is managed by a Federal Agency, the District of Columbia Redevelopment Land Agency, headed by an independent five-man Board of Directors. Although the District government pays the entire local share of the costs of urban renewal and although the Commissioner of the District of Columbia appoints three of the five members of the RLA Board, the Agency need not follow the Commissioner's leadership or administrative direction.

To strengthen the District of Columbia Commissioner's authority to initiate and guide the administration of urban renewal, I am today transmitting to the Congress Reorganization Plan No. 4 of 1968. This plan:

Gives the District of Columbia Commissioner the authority to appoint all five members of the RLA Board, by transferring to him the appointment function now vested in the President;

Transfers to him the authority to prescribe the rules and regulations governing the conduct of business by RLA. This function is now vested in the Board of Directors.

Urban renewal involves slum clearance, demolition, the relocation of families, the provision of new housing, the stimulation of rehabilitation and new employment. Throughout the Nation, it is clear that authority and leadership by the local chief executive is essential to weld together the full range of municipal functions and community service programs to change conditions in city slums.

In our Capital City the hopes for a balanced new town and new housing development on the Fort Lincoln site in northeast Washington, the rebuilding of the Shaw neighborhood, and a successful model cities program hinge on the leadership of the District of Columbia Commissioner. Members of the Congress have repeatedly stressed the need to establish the Commissioner's effective control of all functions essential to local redevelopment. The attached plan takes a major step toward that objective.

The plan does not alter the corporate status of the Redevelopment Land Agency or any of the authorities now vested by law in the Agency.

The accompanying reorganization plan has been prepared in accordance with chapter 9 of title 5 of the United States Code. I have found, after investigation, that each reorganization included in the plan is necessary to accomplish one or more of the purposes set forth in section 901(a) of title 5 of the United States Code.

There are no direct savings deriving from this plan. However, it will improve the management of programs aimed at reviving the deteriorated social, economic and physical structure of this city, our National Capital. The benefits and saving from a more successful attack on these problems cannot be estimated in advance, but their reality cannot be denied.

To achieve our goal of a model Capital, I therefore urge the Congress to permit this reorganization plan to take effect.

LYNDON B. JOHNSON.

THE WHITE HOUSE, March 13, 1968.

REORGANIZATION PLAN NO. 4 OF 1968

(Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, March 13, 1968, pursuant to the provisions of chapter 9 of title 5 of the United States Code)

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

Section 1. Appointments.—(a) The functions of the President of the United States with respect to appointing certain members of the Board of Directors of

the District of Columbia Redevelopment Land Agency (D.C. Code, sec. 5-703) are hereby transferred to the Commissioner of the District of Columbia.

(b) Nothing in this reorganization plan shall be deemed to terminate the tenure of any member of the Board of Directors of the District of Columbia Redevelopment Land Agency now in office.

Section 2. Relationship of Board of Directors and Commissioner.—(a) There are transferred from the Board of Directors of the District of Columbia Redevelopment Land Agency to the Commissioner of the District of Columbia the functions of adopting, prescribing, amending and repealing bylaws, rules, and regulations for the exercise of the powers of the Board under D.C. Code, sections 5-701 to 5-719 or governing the manner in which its business may be conducted (D.C. Code, sec. 5-703(b)).

(b) Any part of the functions transferred by this section may be delegated by the Commissioner to the Board.

Section 3. References to District of Columbia Code.—References in this reorganization plan to any provision of the District of Columbia Code are references to the provisions of statutory law codified under that provision and include the said provision as amended, modified, or supplemented prior to the effective date of this reorganization plan.

Mr. BLATNIK. Mr. Hughes, will you open this presentation on behalf of Reorganization Plan No. 4 of 1968 with your statement?

STATEMENT OF HON. PHILLIP S. HUGHES, DEPUTY DIRECTOR, BUREAU OF THE BUDGET

Mr. HUGHES. Thank you, Mr. Chairman.

Mr. Chairman and members of the subcommittee, I am pleased to present the views of the Bureau of the Budget on Reorganization Plan No. 4 of 1968, providing for certain reorganizations relating to the District of Columbia Redevelopment Land Agency.

Both this reorganization plan and Plan No. 3 of 1968 relating to the Recreation Board derive from a recognized need to provide the District of Columbia Commissioner with the necessary authority to effectively manage District affairs.

As I stated in my testimony on Reorganization Plan No. 3 of 1968, thorough reorganization of the very top structure of the District government was a necessary precondition to plans for bringing municipal functions such as recreation and urban renewal under closer control. Since that has been accomplished—under Reorganization Plan No. 3 of 1967—and a single executive has been substituted for the commission form of government, it has become possible, as President Johnson indicated, “to effect further improvements, both in the structure of the District government and in its relationship to other agencies serving the Nation’s Capital.”

Reorganization Plan No. 4 of 1968 carries out the President’s intent with respect to the Redevelopment Land Agency which is the urban renewal agency for the District. The RLA is a corporation established by law in 1946. Its powers are vested in a five-member Board of Directors. Under present law, two members of the Board are appointed by the President and three are appointed by the Commissioner of the District of Columbia, all subject to Senate confirmation.

Under the reorganization plan, the Presidential function of appointing two members of the RLA Board would be transferred to the Commissioner, thus giving him responsibility for appointing all the members. Further, the Commissioner would be given an additional element of control with respect to RLA through the transfer to him of the

Board's functions of adopting, prescribing, amending, and repealing by-laws, rules, and regulations for the exercise of RLA powers or governing in the manner in which its business is conducted. Provision is made in the plan for the delegation of the rulemaking functions to the Board.

Reorganization Plan No. 4 thus would bring the District's urban renewal program under the more effective control of the Mayor. As a result, the urban renewal activities of RLA could be woven into the fabric of related community improvement programs of the District while leaving its corporate status intact.

As one looks at the evolution of urban renewal from a simple slum clearance approach to a program involving housing rehabilitation, code enforcement, strategic spot demolition and increasing social awareness, the need for closely coordinating urban renewal with other municipal functions has become overwhelmingly apparent. Now, with the advent of the model cities program, we see urban renewal as the base for a wide panoply of programs directed at renewing—not just the brick and mortar—but the institutions, the human beings, the ways of life in large sections of the city.

The District of Columbia is one of the cities selected to carry out a model cities project—in the Shaw area. Under the best circumstances organizationally, this would be a complex and exceedingly difficult enterprise. It means meshing together, not only the components of physical renewal—code enforcement, public works, and the like, now split between RLA and other agencies—but welfare and employment programs and other municipal services. Without adequate controls over urban renewal operations and the ability to integrate them with these other project activities, the chances for a successful model cities program in the District could be drastically lessened.

The new District leadership has demonstrated the will and the capacity to improve the government of the District. Now, Reorganization Plan No. 4 of 1968 will make possible the more effective management of a vital segment of District affairs.

There will be, I am sure, plans advanced for bringing other municipal functions now vested in agencies outside of the District government more closely within its control. In the meantime, the plan before you—along with the recent designation, by Executive Order No. 11401, of the Mayor as the National Capital Housing Authority—represents a significant beginning in developing a well-coordinated program for improving District neighborhoods. I urge the Congress therefore, to permit this plan to take effect.

Thank you, Mr. Chairman.

Mr. BLATNIK. Thank you, Mr. Hughes.

Commissioner WASHINGTON, do you have a statement?

Commissioner WASHINGTON. Yes, sir.

Mr. BLATNIK. Will you please proceed.

STATEMENT OF HON. WALTER E. WASHINGTON, COMMISSIONER OF THE DISTRICT OF COLUMBIA

Commissioner WASHINGTON. Yes, sir. I will be brief. I think Mr. Hughes has covered many of the essentials, and my statement will, therefore, serve to endorse Reorganization Plan No. 4.

As the President noted in his message to Congress of March 13, 1968, accompanying this reorganization plan, the function of urban

renewal, which, in the District of Columbia, is carried out by the Redevelopment Land Agency, is an essential weapon in the District's attack on blight and decay in our community. The President also noted that Members of Congress have repeatedly stressed the need to establish the Commissioner's effective control of all functions essential to local redevelopment, including urban renewal. The reorganization plan is a major step in that direction. And as Mr. Hughes has pointed out, by Executive order the President has already acted to bring the National Capital Housing Authority within the jurisdiction of the Commissioner.

The Redevelopment Land Agency is a separate Federal agency composed of a five-man Board of Directors. Three of its Directors presently are appointed by the Commissioner of the District of Columbia, and two by the President. As indicated in the President's message, although the District contributes one-third toward the cost of urban renewal, the Agency is not required to follow the Commissioner's leadership or administrative direction. I would hasten to add that even though the Agency is not compelled by statute to follow my leadership, the Agency has given me its full cooperation and support on matters of vital concern to the District since our new administration took office. And indeed, Mr. Chairman, I would like to say that, in addition, Mr. Miller and the Board have been particularly gracious since I have been in office. They have permitted me, upon my request, to use their own Director, Thomas Appleby, who is here, as my Housing Coordinator, which gave me a loose umbrella to sort of cover all of the housing agencies and to get them in a tandem operation so that we could develop a capacity to meet this gnawing housing problem. And I certainly want you to know, Mr. Chairman, that this has been a most gracious bit of cooperation and extension of good offices to me and to this city. And I certainly commend them.

However, despite this fine relationship with RLA, it is essential, as the President noted in his message, that the Commissioner of the District of Columbia's leadership role in urban renewal be assured on a continuing basis. The reorganization plan which you are now considering contains two separate provisions which would provide that assurance. First, it would transfer to the Commissioner the authority to appoint the two members of the Agency's Board of Directors who are now Presidential appointees. They would, of course, continue to be subject to confirmation by the Senate. Second, it would transfer to the Commissioner the power of the Agency's Board of Directors to establish rules and regulations governing the conduct of the Agency's business. The reorganization plan authorizes the Commissioner to redelegate this rulemaking authority back to the Agency's Board of Directors. This provision would give the Commissioner a great degree of administrative flexibility, while retaining essential control over the Agency's urban renewal programs.

The principal benefit of the reorganization plan is that it will insure a maximum amount of coordination of urban renewal activities under the Commissioner's leadership, without impeding the Agency's operations. There is probably nothing more fragmented in the city than the housing agencies. I think the Executive order and this step would go very far in bringing all those agencies responsible for an aspect of the housing program within the kind of umbrella that would give us the capacity to reach some of the housing needs.

The Agency's Board of Directors has assured me of its readiness and its desire to cooperate in implementing this reorganization plan. I am confident, Mr. Chairman, that, with such cooperation, the urban renewal activities of the District of Columbia, which are so essential to the well-being of our community and its redevelopment, will be substantially improved.

Again, Mr. Chairman, I thank you for this opportunity to appear and endorse this reorganization plan.

Mr. BLATNIK. Thank you, Mayor Washington.

Mr. Miller, do you have a statement that you want to read at this time?

Mr. MILLER. Yes.

Mr. BLATNIK. Would you please proceed?

STATEMENT OF NEVILLE MILLER, CHAIRMAN, DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY; ACCOMPANIED BY THOMAS APPLEBY, EXECUTIVE DIRECTOR

Mr. MILLER. Mr. Chairman and members of the committee, I am Neville Miller, Chairman of the District of Columbia Redevelopment Land Agency, and I am pleased to offer this statement on Reorganization Plan No. 4 of 1968, concerning this Agency, which you are now considering.

I have been a resident of the District of Columbia since July 1938, about 30 years. I am a practicing attorney, with offices in the Munsey Building. I was appointed to the Board of Directors of the Redevelopment Land Agency by the Board of Commissioners of the District of Columbia in September of 1960, 7½ years ago. I am testifying from some municipal experience as I was Mayor of Louisville, Ky., from 1933 to 1937.

The Redevelopment Land Agency's function in the urban renewal process in the District of Columbia consists of executing urban renewal plans which have been adopted and approved respectively by the National Capital Planning Commission and the District of Columbia government. Even though the basic planning and financial decisions concerning the urban renewal plans are made by NCPC and the District government, many critical decisions remain to be made in the execution stage of urban renewal. For example, decisions relating to relocation of families, individuals and businesses and the staging of redevelopment affect the lives of many persons and the continuation of many businesses. For these reasons, and because urban renewal activities are vital to the District of Columbia, they should be carried out with ultimate control over them residing with the Commissioner. We think that Reorganization Plan No. 4 of 1968 achieves this desirable goal.

The Board of Directors of the Agency endorses this reorganization plan. We have always had and continue to have a close working relationship with the District of Columbia government. However, it is necessary to assure the District that such relationship will continue on a permanent basis by institutionalizing it. Reorganization Plan No. 4 of 1968 accomplishes this efficiently without any interruption of the Agency's activities; and, therefore, I urge you to approve the plan.

Mr. Chairman, I would like to say that as Chairman of the RLA, I was ex officio member of the Board of the National Capital Housing Authority while Mayor Washington was Executive Director, and I have worked with him for the last 7 years in housing, and we have always worked very well together and I am very happy to have him control this Agency. We think we can get along fine.

Mr. BLATNIK. Well, Chairman Miller, it is a good statement, a short statement. I want the record to show further that it is a very modest statement in view of the splendid record of performance which has been yours under very difficult circumstances at times. In connection with the proposed inner loop and outer loop of the highway work, we had some relationship with the National Capital Planning Commission and certainly with your Redevelopment Land Agency. It has been a difficult problem. I think you have done a splendid job and we commend you for your leadership. The fine job that your associates in the Agency and on the executive staff have performed is also highly commendable.

I have just a question or two. Mr. Miller, could you briefly explain, for our information and for the record, the procedure that is now being followed, or has been followed until now, in initiating and carrying through urban renewal plans?

Mr. MILLER. Originally, the areas of urban renewal planning were designated by the National Capital Planning Commission, after studies—we helped study—and they went to the Board of Commissioners. The Board of Commissioners then approved the designation of the area. They sent it back to the National Capital Planning Commission to make the plan. The National Capital Planning Commission then made the plan and sent it back to the District Commissioners to approve the plan. And that was a very detailed plan as to where commercial buildings should be and where residential buildings should be. Then, when they approved the plan as drawn up, they referred it to the RLA for execution, and we participated in helping form the plan.

Mr. BLATNIK. That is the question. You do participate in the formulation?

Mr. MILLER. We help.

Mr. BLATNIK. In what manner, sort of an informal—

Mr. MILLER. Informally, yes. We provide—

Mr. BLATNIK. —line of communication, consulting?

Mr. MILLER. We work with them and then when the plan comes back to them, they refer it to us and we carry it out. Then if there is any change in the plan to be made, we have to go back through the same process of referring it to the National Capital Planning Commission to approve it. And now, instead of the Board of Commissioners approving it, the single Commissioner approves it. Before the urban renewal program was mostly under the jurisdiction of the Engineer Commissioner—General Clark, General Duke, and General Mathe at various times.

Mr. BLATNIK. And the Engineer Commissioner also had charge of the highway program, did he not?

Mr. MILLER. Yes.

Mr. BLATNIK. How would the highway program be coordinated and integrated with your Redevelopment Land Agency work as well as the National Capital Planning Commission?

Mr. MILLER. It depends on whether it went through our urban renewal areas.

Mr. BLATNIK. There has to be some coordination for the highway work quite separately. I mean the highway planners would not draw one map and show the route going this way and run it right through a brand new area that has just been redeveloped, would they?

Mr. MILLER. No. I think Mr. Appleby probably can explain it.

Mr. BLATNIK. Could you answer that, Mr. Appleby?

Mr. APPLEBY. I will try, Mr. Chairman. It gets coordinated really in two places, through the National Capital Planning Commission and through the District, now City Council, in approving an urban renewal plan. So that when a plan for a highway gets referred to the National Capital Planning Commission for advice on its location it must be approved by the City Council. The City Council also holds the statutory power to approve or not an urban renewal plan. So ultimately the City Council in both cases has to approve and, therefore, the various departments and the planning bodies have to get together before they get to that level.

Mr. BLATNIK. This get-together process required a lot of shuffling and shuttling back and forth and a lot of time, did it not?

Mr. APPLEBY. Yes, sir.

Mr. BLATNIK. What changes will take place so as to streamline and simplify the lines of coordination under the present reorganization plan, Mr. Appleby?

Mr. APPLEBY. Well, the statutory powers of the RLA, while they do include planning, they relate primarily, as the chairman said, to carrying out the urban renewal plan. And, therefore, in its business of improved planning it is not the major benefit that would accrue here. It is in the carrying out of urban renewal programs after a plan with a highway in it or street in it has been designated.

Mr. BLATNIK. I see.

Mr. APPLEBY. Then it falls into the bailiwick of relocation. For example, how the Redevelopment Land Agency carries out a program for the relocation of families could have an obvious great impact upon the mayor and his city and how he carries out his program. So ultimately this would mean that he could have more direct control over that activity once a plan has been approved.

Mr. BLATNIK. So the reorganization plan directs itself more to the effective and judicious execution—

Mr. APPLEBY. Yes, sir.

Mr. BLATNIK (continuing). Of the operational end of your Redevelopment Land Agency?

I have more questions but we are a little short on time.

Mr. Erlenborn, would you please proceed.

Mr. ERLENBORN. Thank you, Mr. Chairman. I think it is true that in any urban renewal program of a city there has to be some agency like the RLA to plan and execute the urban renewal program. What is the usual setup in a large city? Do they have a separation, say, between the planning stage, such as the NCPC, and the execution stage, such as the RLA, or are they often combined?

Mr. HUGHES. The pattern, Mr. Erlenborn, with respect to the urban renewal functions is that these are ordinarily a part of the municipal functions. A number of cities are moving, and there seems

to be a trend toward an integrated housing, urban renewal, planning and code enforcement enterprise, all of it a part of the municipal operation.

Mr. ERLNBORN. You say part of the municipal operation. This would be a department of the city government—

Mr. HUGHES. Under the jurisdiction of the administrative head of the government.

Mr. ERLNBORN. Not a separate agency appointed by the mayor or—

Mr. HUGHES. Well, in some circumstances it might be a board, it might be a division established by him. The planning body might, for instance be an individual supported by a board or advised by a board, or it might be a board itself. But the trend seems to be toward making these kinds of operations subdivisions of the municipal government.

Mr. ERLNBORN. Directly responsible to the executive head of that government?

Mr. HUGHES. Yes.

Mr. ERLNBORN. And in those cases where they have some sort of board or agency appointed, is it customary that the rulemaking powers and the conduct of the business of the board be exercised by the executive, the chief executive, such as is provided in this plan?

Mr. HUGHES. The short answer is, Mr. Erlenborn, I am not really sure. I think, however, the general practice is for the executive to delegate these functions to his operating body or individual, whatever it might be—in this case, the Board. And I think the Mayor in his statement indicated this would likely be the pattern of operation in the District.

Mr. ERLNBORN. So that when this plan goes into effect, you say that the setup here in the District of Columbia would be somewhat representative of the type of administration that is used in other large cities?

Mr. HUGHES. Yes.

Commissioner WASHINGTON. I would like to say just one word about that, Mr. Erlenborn, if I may. The trend that New York has undertaken is characteristic of what is developing in the housing field—that of creating an administration of Housing and Development with a number of agencies, with a number of housing functions under that administration. The urban renewal facet, the public housing, the code enforcement, a relationship to the FHA with the 221(d)(3) and other programs, as well as certain programs in beautification which are under the HUD departmental sponsorship—all give you a total administrative package to use programs and new tools interchangeably. This is what we have achieved in a very loose way here by Mr. Appleby serving as the Housing Coordinator, setting up a task force of the Public Housing Agency, his own RLA and our own Code Enforcement Agency with a representative from FHA, operating to put the programs together and to use the tools effectively. For instance, using the leasing program in housing along or jointly with 221(d)(3) gives a total development that has several operational tools in it.

This is pretty much the trend, I would say, that cities are moving toward. It varies, however. In some cities, Baltimore, for example, the urban renewal and the public housing agencies are together with direction from the Chief Executive.

Mr. ERLBORN. If I understand correctly, authority over the National Capital Housing Authority has been given to you by Executive order.

Commissioner WASHINGTON. Yes, sir.

Mr. ERLBORN. Do you think that that Executive order and this plan go far enough or would it be desirable to merge the Housing Authority and the Redevelopment Land Agency?

Commissioner WASHINGTON. I think that my opinion here would be that those two functions, with respect to the current programs and tools that are available, would best serve for the present as separate entities. I think the matter of joint funding and program activity at this structure would not necessarily be wise, with the many other things that we have to do.

In other words, I would like to see the program strengthened and get as much capability out of the respective agencies now as possible with a view of putting some of the activities, like planning together, and perhaps the development work together at this juncture without putting the bulk of the program together. I think this is something that we could get to in another year or so, but I believe the development of capability, of the full capability of the programs at this time could best be achieved by keeping them as they are.

Mr. ERLBORN. You would not rule out sometime in the near future merger of these, too?

Commissioner WASHINGTON. Absolutely not. Those, I would not.

Mr. ERLBORN. Thank you, Mr. Chairman.

Mr. BLATNIK. Mr. Brown.

Mr. BROWN. I am curious to know how many of the proposals which have been made in recent months for the total reorganization of the various agencies involved with land use and planning and urban renewal and zoning and all of that were taken into account by the Bureau of the Budget when they came up with this reorganization plan?

Mr. HUGHES. As far as I know, Mr. Brown, the two relevant ones were the Housing Authority action by Executive order and this one. The Recreation Plan, the other plan this year that affects the District does not involve land per se. I do not know whether you had that in mind or not.

Mr. BROWN. Well, for instance, there is a report of the Federal City Council on Urban Renewal Programs for the District prepared in March of 1961. There is the Mayor's Work Report for a Better City in January of this year. There is another report prepared by the Washington Center for Metropolitan Studies on the National Capital Planning Commission. Were any of these given consideration with reference to including in a single reorganization plan all of the various agencies that are involved in land use and zoning, redevelopment, and so forth?

Mr. HUGHES. Yes. I am sorry. I did not fully understand the question. Yes, Mr. Brown, we gave a good deal of thought to a broader action here with respect to land use, land planning, housing, urban renewal, and so on. I think the most notable absentee from the package is the National Capital Planning Commission.

Mr. BROWN. Fine Arts Commission?

Mr. HUGHES. Fine Arts Commission, also. Both of them are involved. Each of them present some special problems that we struggled

with and did not solve to our satisfaction. Therefore, we dealt solely with this component of the package. I indicated, in the response to Mr. Erlenborn's question, the trend is pretty clearly toward the unification of planning functions as a part of administrative operation of a municipality. Doing this is complicated within the District because not only the District is involved but also the Federal Government is involved, and there is also a national public interest in the Nation's Capital and the monumental nature, at least, of some portions of the Capital. This does complicate the planning problem, and we just have not developed a solution that it seemed to us solved that portion of the problem.

Mr. BROWN. Well, now, when you develop that solution, do you presume that it will make a change in the plan for the functioning of the RLA?

Mr. HUGHES. It will certainly affect the operations of the RLA. I would not see it as affecting the organizational location of the RLA or the District's responsibility for those functions.

Mr. BROWN. Basically, my question is, why does the Bureau of the Budget bring in plans on a limited basis when it seems to me the whole problem is such a broadly encompassing problem that it might do well to hold off for another few months and come up with a plan that would resolve all—I should not say resolve all of the problems but resolve the administrative relationship of all the agencies involved in a much clearer manner?

Can you give me any background of the thinking of the Bureau of the Budget in this area, or the administration in this area?

Mr. HUGHES. It seems to us, Mr. Brown, that the direction of motion, the desirable direction of motion, is to place in the hands of the District government, the Mayor-Commissioner, more of the tools that are necessary to carry out the land planning, land use, housing functions than he now has.

This being the case, the plans like plan No. 4, which are dealing with a portion of the problem but which move RLA, for instance, under the Mayor's control, seem to us to be motions in the right direction. The problem of moving other components, the Fine Arts Commission and the Planning Commission, two that we have mentioned, is essentially a problem in resolving the balance as between the interests of the District as a municipality and the interests of the Federal Government, which are both operational and monumental and National Capital problems that have significance nationwide. The problem of resolving those has been difficult. To decide what is the District's, in a sense, and in what areas of National Capital planning, for example, the Federal Government, either on its own behalf or on behalf of the Nation at large, should have a say, we have not been able to resolve these problems at this point.

Mr. BROWN. Have you any time frame by which you will have those resolved, because you see—I do not want to go into any detailed history, but this is basic to the whole reorganization problem of the government of the District of Columbia. There are those of us who found some fault with the President's reorganization plan last year because of our feeling about what the most efficient administrative relationship might be and whether or not this could better coordinate the three interests involved—the national interest, Federal govern-

mental interest, and the interest of the residents of the District of Columbia—by means of a centralized head, or whether these three are going to be coordinated in some other and lower level manner in the decisionmaking process.

Do you have any ultimate time frame for when we will begin to get a full picture of what the government of the District of Columbia is going to look like when you get this area of problem resolved?

Mr. HUGHES. Well, I am not in a position to give you any schedule for these other areas. I think the President, both last year in his comments on Reorganization Plan No. 3 and again this year in the context of these two plans, has made it clear that he sees the need, the District's need, for increasingly more authority commensurate with its responsibility in these areas. But I do not have any time schedule which we would propose—

Mr. BROWN. The need for the District Commissioner to have more authority.

Mr. HUGHES. That is right. That is correct.

Mr. BROWN. Which puts it back into the hands of the White House because the White House appoints the District Commissioner, is that right?

Mr. HUGHES. I think whatever authorities, again, the Commissioner receives, obviously subject to review by the Congress, would be dealt with in the context of the functioning Council and the other kinds of actions that we have talked about before.

Mr. BROWN. The Council which is appointed by the White House?

Mr. HUGHES. That is correct. There is no substitute—I think the President has made this clear, and I certainly reemphasize—there is no substitute for home rule as a means of expressing the will of the local population. We are trying, however, to enable the District government to have a broader base of communication with the population of the District and also to strengthen the hand of the Mayor-Commissioner in dealing with these problems.

Mr. BROWN. Mr. Hughes, we could go on probably for all afternoon on this subject, but I find it difficult to understand why the principle of home rule is desirable, for instance, in the area of building location and undesirable, say, in the area of recreation planning.

Mr. HUGHES. I think home rule is a desirable thing, and if there were an elected Mayor and City Council there would be home rule. I do not think we have any argument on that score.

Mr. BROWN. Well, the problem here again is that it seems to me the recreation area is a function wherein home rule should play a very important part. The problem of how you plan the development of the District of Columbia as the site of the Federal Government and as the national monumental city and as the site of residence of those people who live there; how you coordinate those three interests which are broad, and compare that with the recreational interests of the people in the community which are limited pretty much to the people who reside in this community. How do you coordinate these two things in a governmental system is what was at issue last year when we were talking about the reorganization plan of the District of Columbia government generally; and I think it is maybe what is at issue in the conversation we have had today. And, so far, it seems to me that the direction is not abundantly clear but rather confused by

the plans that we have gotten from the Bureau of the Budget. I have no objection to this plan. I do not think it goes far enough. I think it is much too narrow and much too restricted in its scope. If we had time, I would like to ask you if the RLA wanted to redevelop a couple of blocks in Georgetown what it would have to go through, and I think you would spend most of the afternoon telling me what all the redtape procedures are that it would have to go through.

Now, if we are going to cut that redtape, I would like to know, as soon as we can from the administration, where all these wonderful things come from under our philosophy of government, what that plan is. And it seems to me that it has not been too well-developed yet.

Mr. BLATNIK. No further questions?

Thank you very much, Commissioner, Mr. Hughes, Mr. Miller, and Mr. Appleby.

Commissioner WASHINGTON. Thank you, Mr. Chairman.

Mr. BLATNIK. We have a statement submitted by the League of Women Voters of the District of Columbia, written by Elizabeth S. Johnson, the president, in support of Reorganization Plan No. 4 of 1968. The statement will appear at this point in the record.

(The statement referred to follows:)

PREPARED STATEMENT OF THE LEAGUE OF WOMEN VOTERS OF THE DISTRICT OF COLUMBIA, PRESENTED BY ELIZABETH S. JOHNSON, PRESIDENT

The D.C. League of Women Voters supports the President's Reorganization Plan No. 4 of 1968 as a further step in coordinating and focusing responsibility for the essential functions of a city government.

The league has advocated centralization of "authority for urban renewal in the District government." Reorganization Plan No. 4 will begin to bring some order to the city's housing program by allowing the Mayor to make his own appointments to the Redevelopment Land Agency.

Thus, because of our interest in a more efficient and centrally responsible government under the single Commissioner and City Council, we urge the Congress to permit this plan to take effect.

Commissioner WASHINGTON. Thank you very much, Mr. Chairman.

Mr. BLATNIK. Good luck.

This concludes the hearing on Reorganization Plan No. 4 of 1968. The subcommittee is adjourned.

(Whereupon, at 12:40 p.m., the subcommittee adjourned.)

