

Please understand that the State highway departments are not taking the position that the highway program should be placed above the national interest, or that it should be subject to no control whatsoever, but we are of the opinion that the authorizations established by the Congress, and the ability of the trust fund to support the program, should be the controlling features in the way that the program is advanced and carried out.

Each year there seems to be a certain amount of suspense and uncertainty as to the exact time that the fiscal year apportionments will be made. We believe that much of this suspense can be relieved.

Inasmuch as the ABC apportionments are given first priority in the apportioning procedure, and they and the interstate are made at the same time, we think that while you are considering ABC authorization legislation this year, it would be in order for us to suggest the following changes with regard to title 23, United States Code, highways. This language will tie down the apportioning dates and would discourage cutbacks.

Section 104, the first paragraph of subsection (b), shall be revised to read:

Between September 15th and September 30th next preceding the commencement of each fiscal year, the Secretary, after making the deduction authorized by subsection (a) of this section shall apportion the remainder of the sums authorized for expenditures on the Federal-aid systems, including the Interstate System, for that fiscal year among the several States, and it shall be officially announced by a notification to the State highway departments and the apportionment shall be made in the following manner:

I would like to stress, Mr. Chairman, the last part of that sentence, where it says, "and it shall be officially announced by a notification to the State highway departments and the apportionment shall be made in the following manner."

At the present time this information is given to the news media, and the highway departments read it in the newspaper and usually do not receive official notification for 2 to 3 days, and sometimes longer, after that; 3 days or longer.

The following sentence in section 104(b) (5) shall be deleted:

Each apportionment herein authorized for the fiscal years 1960 through 1971 inclusive shall be made on a date as far in advance of the beginning of the fiscal year for which authorized as practicable, but in no case more than eighteen months prior to the beginning of the fiscal year for which authorized.

Section 104(e) shall be revised to read:

Between September 15th and September 30th preceding the commencement of each fiscal year, the Secretary shall certify to each of the State highway departments the sums for which he has apportioned hereinunder for each State for each fiscal year, and also the sums which he has deducted for administration and research pursuant to subsection (a) of this section, and the funds so apportioned to the States shall be available for obligation for the payment of the pro rata share of the Federal Government for reimbursement of projects approved under such authority and such procedure shall constitute a contractual obligation on the part of the United States, and the rate of obligation shall be at the election of the State highway departments except for such procedures as the Secretary may promulgate to protect the integrity of the highway trust fund as established by section 209 of the Highway Revenue Act of 1956.

This would take out the uncertainty of contractual obligation and the money being obligated to the States, released to them for expendi-