

At the present time, certain reservations, such as the establishment of a primitive area, can be made unilaterally by an executive department without a hearing and before congressional action might formalize it is a wilderness area reserve.

We believe that similar hearings and approvals should be required where major changes in zoning are involved that could obsolete existing facilities on a Federal-aid route or require extensive improvements on that route, especially where such change in zoning was unanticipated and unknown at the time that the highway facilities were provided.

At the present time, highway departments must hold hearings regarding their programs and we believe the same should hold true for other agencies as their programs might affect present and highway transportation needs.

At the time our "after 75" committee appeared before your committee last June 7, 1967, we called your attention to the numerous planning reviews, consultations, coordinations, concurrences or approvals, either required by statute, Executive order or other means, affecting the conduct of the highway program. It was contained on pages 30 and 31 of the Preliminary Report of AASHO on the Federal-aid Highway Needs after 1972 (90-6) 90th Congress, first session. We would ask that you again review that tabulation.

This particular comment is not intended to reflect on the men holding the positions at this time, both of whom we hold in high esteem, but looking to the future and considering some of the contemporary philosophies surrounding the highway program, we would suggest that your committee might wish to spell out certain qualifications and duties for the Federal Highway Administrator and the Director of Public Roads, to make certain that they have the qualifications, interest, and background for administering the highway program.

At the time we appeared before your committee on February 21 of this year, we submitted some draft language that would stabilize the financial aspects of the highway program, or at least minimize some of the uncertainties of cutbacks and threatened cutbacks.

It would also specify a time that the States would receive their fiscal year apportionments, and suggests language intended to strengthen the contractual obligation feature of the highway program which the States consider essential if a Federal-aid highway partnership program is to continue.

As we remember, at the time of the joint hearings on the subject of the November 1966 cutback, the Department of Transportation introduced an Attorney General's opinion which, in effect, stripped this basic contractual obligation of some of its meaning. We recommend that your committee study this submission we made on February 21 and take steps to strengthen the contractual obligation feature of our program to the point that we have believed existed and upon which the States made their financing and construction plans, as well as awarding contracts.

We also recommend to you that you direct the Bureau of Public Roads, in cooperation with the State highway departments, to make a functional classification of the Federal-aid primary and secondary systems, to treat the States equitably, and to be assured that the right road is in the right system, and that after this is done that there be a