

NOMINATION OF KARL SMITH BOWERS

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HEARING BEFORE THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS UNITED STATES SENATE

NINETY-FIFTH CONGRESS

SECOND SESSION

ON

THE NOMINATION OF KARL SMITH BOWERS TO BE FEDERAL
HIGHWAY ADMINISTRATOR

AUGUST 11, 1978

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NOMINATION OF KARL SMITH BOWERS

FRIDAY, AUGUST 11, 1978

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
Washington, D.C.

The committee met at 9:38 a.m., pursuant to call, in room 4200, Dirksen Senate Office Building, Hon. Jennings Randolph (chairman of the committee) presiding.

Present: Senators Randolph, Bentsen, Culver, Stafford, and Chafee.

OPENING STATEMENT OF HON. JENNINGS RANDOLPH, U.S. SENATOR FROM THE STATE OF WEST VIRGINIA

Senator RANDOLPH. A pleasant good morning to all of our guests, and those who have particular interest in the subject matter which brings us together today.

This morning we are privileged to have for our consideration the nomination of Karl Smith Bowers, nominated by the President to the position of Federal Highway Administrator.

I would take these brief moments to indicate the intense continuing interest of all members of this committee in the matter of transportation. Transportation has exercised the greatest influence on the development of this country. We know that our methods of travel have changed, and this is understandable. The lifestyle in America has been altered, and the land itself has been brought into greater productivity as a result of our transportation system which includes the highways of this country.

We now have in America a coordinated system of air, water, and surface transit. We are the most mobile people in the world. We have had a Federal initiative in the matter of our growth and development as reflected in the Federal-aid highway program.

As we think about the Continental United States, this country with its broad expanse, with its challenge, we recognize that coast-to-coast we are brought together by approximately 786,000 miles of highways on which there has been Federal leadership and money invested. The program has proved successful. It has been flexible, which it should be, but it remains ever responsive, we hope, to the needs of the American people.

The Congress and many administrations have worked together to insure that the Federal highway program addresses the dynamic transportation needs of the men and women of this country. And in this committee, ladies and gentlemen, there has never been a partisan approach to the solving of any of the problems that come before us.

In the consideration of the concerns that we have and commitments we share with you, there has been difference here and there—certainly that is understandable—but there has been no partisanship.

Today the highway program is innovative, progressive, and worthwhile. Karl Bowers has served, as we know, in the highway program of South Carolina, being highway commissioner of that State, and for over a year now he has been acting as the Deputy Federal Highway Administrator. He has worked very closely with our very able Administrator, Mr. Cox of Kentucky. Karl's background has provided him with valuable, practical experience.

Mr. Bowers has the confidence of our President. He has the approval of Secretary of Transportation Adams. And we believe that he has the support of the Senate, which, of course, must advise and consent the nomination from the President of the United States.

I think it is vital for me to say that in checking with many people, I have determined that Karl Bowers has the respect of those who carry forward the actual construction of the roads in this country—that is very important—the people who take the contracts, the men who do the actual work. In this regard we need a strong person in this position, an individual who can make decisions, but who carefully reviews all of the subject matter before making that decision. We need a balanced, well-reasoned leader, and we believe that the Federal Highway Administration under Karl Bowers that type of leadership is assured.

This is a crucial time, ladies and gentlemen, in the Federal-aid highway program. The members of this committee have reported to the Senate what we call landmark highway legislation. This bill, which we hope will come before the Senate next week, represents the best in fiscal responsibility and the continuity of our program.

Now we shall act on S. 3037, as I have indicated, hopefully in a few days. We will have companion transportation bills before us. It is essential, and I am using this opportunity today, with the nominee before us and the two Senators from South Carolina, Senator Thurmond and Senator Hollings, to say that it is absolutely essential that we pass, adopt, and make viable, highway legislation before the end of this second session of the 95th Congress. Not at some later date, but this year. If we fail to act, it is estimated that 39 States would be forced to cease various aspects of their highway construction and rehabilitation programs.

I know that that is of concern to the Senators from South Carolina, as it is to the Senators who sit on this committee. The constantly spiraling inflationary impacts of delay are costly and we must not be a party to having that take place.

I take this opportunity to not tell the House of Representatives what their assignment is, but simply, I hope, that they will act quickly on H.R. 11733.

Why do I say that without criticism of either body? On a realistic look, when these bills pass, we are going to have to go to conference, and there must be a compromising of our positions. I am sure there will be good faith in both the House and the Senate to insure that the highway program continues strong and vibrant and uninterrupted.

I am confident, with the assistance of leadership in the administration, that the Congress will pass this year, as I have indicated, the

Federal-aid Highway Act. This is the highway program which Karl Bowers, in his position as Administrator, is going to take tremendous satisfaction in being a part of, just as your predecessor, Mr. Cox, has been.

Senator Chafee, did you wish to comment?

Senator CHAFEE. Not at this time, Mr. Chairman.

Senator RANDOLPH. Senator Stafford, our ranking minority member, do you wish to comment?

Senator STAFFORD. Thank you, Mr. Chairman. I have no statement. I am very pleased to see in the spirit of bipartisanship that we know on this committee that both of the parties are represented by the two Senators from South Carolina who are here. That speaks very well for the nominee. I look forward to what he will say. We may have a question or two later. I have talked with him in my office and I am pretty well satisfied at this point.

I think I will stop there and listen to our nominee and his Senators.

Senator RANDOLPH. Thank you very much, Bob.

I do want to underscore what I said earlier, that is, that there is an understanding within the committee membership, which is one of the most, I think, encouraging parts of the job we have to do, that is, that even though we have disagreements at times, we continue to push forward and work together.

Senator Strom Thurmond, would you at this time speak as you desire.

STATEMENT OF HON. STROM THURMOND, U.S. SENATOR FROM THE STATE OF SOUTH CAROLINA

Senator THURMOND. Thank you very much, Mr. Chairman and gentlemen of the committee.

It is with great pleasure that I appear before the Committee on Environment and Public Works to endorse the nomination of Karl S. Bowers as Administrator of the Federal Highway Commission. Mr. Bowers is a native of my State of South Carolina and has been a personal friend of mine for a number of years.

Mr. Bowers is presently serving as Acting Administrator of the Federal Highway Administration. Prior to being Acting Administrator, he served in the capacity of Deputy Administrator for a year. The fact that he is being considered for permanent Administrator speaks well of Mr. Bowers. It demonstrates that he has performed commendably in his previous and present positions with the Federal Highway Administration. It demonstrates that he is worthy to be named Administrator.

Before coming to Washington, Mr. Bowers served for 4 years as a commissioner on the South Carolina Highway and Public Transportation Commission. While on the South Carolina Commission, he served as vice chairman and as chairman. As chairman, he introduced the committee system. This greatly improved the work of the commission and enabled it to more effectively address the transportation problems facing South Carolina.

Mr. Bowers served the South Carolina Highway Commission capably. Upon his resignation to come to Washington, Mr. Bowers was selected chairman emeritus. He is the first recipient of this honor.

Mr. Bowers is a versatile man and has talents in many directions. He is a captain in the Air National Guard; he has been in the insurance and real estate business; and he has served as a judge in the magistrate court of South Carolina. He is a Mason, a member of the Jaycees and a member of the Lions Club. In all of these organizations he has fulfilled well the trust placed in him.

Mr. Chairman, I give my personal recommendation to Mr. Bowers. In my opinion, he will serve the Federal Highway Administration capably and well and make an excellent Administrator. I commend President Carter for choosing him for this position.

Thank you.

Senator RANDOLPH. Thank you very much, Senator Thurmond. We know that when you come before this committee or any committee that you are a firm believer in what you are saying, is that right?

Senator THURMOND. Well, I don't speak unless I do believe in it.

Senator RANDOLPH. I have always found you very forthright and very candid. As I listen to your words, I recognize that you believe in this man, you know this man, you know of his record in your own State; is that correct?

Senator THURMOND. That is correct.

Senator RANDOLPH. We are delighted, the members of the committee, all of us, to have you here, to sponsor with the administration, this nomination.

Senator THURMOND. Thank you.

Senator RANDOLPH. Senator Hollings.

STATEMENT OF HON. ERNEST F. HOLLINGS, U.S. SENATOR FROM THE STATE OF SOUTH CAROLINA

Senator HOLLINGS. Thank you, Mr. Chairman, distinguished members of the committee. I appreciate the chance to also join in presenting Karl Bowers as the Administrator of the Federal Highway Administration.

They say what a man will do in public office is best told by what he has done. Performance is better than promise. We only have to look over the past 10, 15, 20 years to see this man at the county level, serving as magistrate, at the State level within the highway administration work, and now at the Federal level and enjoy the fact now that here he is being promoted for a job well done.

As the youngest chairman of our highway commission in South Carolina—I emphasize that because we have probably the most outstanding of all State highway programs. That has been the case over many States. Different States have acknowledged we have one outstanding feature, and that is a highway system of our own State that has been really devoid of politics. When elected chairman of this commission, it is not politics as usual. On the contrary, it is for somebody who can do an outstanding job.

To choose him at age 31 was somewhat chancey at the time, but not for long, because Karl took over. He visited all the different highway facilities; he talked to the personnel; he became an activist in the good sense of the word to make sure that the highway department was fiscally sound, and continued in a visionary way to develop our system in South Carolina.

I think one of the real tests was at the time we were all having declining revenues, he led the fight for an increased gasoline tax. You only have to look at the other States. Missouri voted last week to reject the idea of a gasoline tax increase.

It wasn't easy at that time, but we did it in our State to keep our highways in the best of condition, and Karl led that fight. Jimmy Carter recognized that. He met him during the campaign. He worked in that campaign, and was nominated by the President as Deputy Highway Administrator.

Now in the past year he not only has performed that job, visiting over half of the States of America articulating the needs and promise of the Federal Highway Administration, but more particularly in the past few months he has been administering the actual job of Federal Highway Administrator since Mr. Cox left.

So it is good to know that the President has continued and reinstilled confidence, as well as Secretary Adams. I know this committee unanimously reported out a year ago. I am glad to join with the committee in that sense in reaffirming our confidence in presenting him to you this morning.

Senator RANDOLPH. Thank you very much, Senator Hollings, for your assessment of Karl Bowers; it is certainly borne out by your knowledge of his record.

I am especially grateful that you brought up several facts about the State of South Carolina, the State that you and Strom Thurmond represent. Some other States might argue with you a little as just which is the best State from the standpoint of the administration of its highway system. But we do know the work done in South Carolina has been outstanding, and in the best tradition of not a political machine laying the concrete and asphalt, but of experienced, knowledgeable people working to meet the needs of whatever that State's needs might be. For that reason, I, personally, want to commend you for what you have said here today and for what Senator Thurmond has expressed.

Is there comment now before the nominee makes a brief statement?

Senator CHAFEE. I just wanted to add one thing. I think we have two former Governors speaking on behalf of the nominee. I think it is fascinating that South Carolina has a highway commission which is elected by the legislature. It must be extremely difficult for the Governor to exercise his prerogatives, and I am fascinated that such a system exists. It is a rarity. I think in most of the States in the Nation the State highway commission or director of public works, whatever he may be called, is appointed by the Governor and is responsible to and serves at his pleasure. But apparently the other system works, judging from the comments that these two distinguished gentlemen have made, particularly Senator Hollings. I am curious, do you approve of that system?

Senator HOLLINGS. No question, Senator. I will relate an incident that was back in 1950, 1951, when I was speaker pro tem of our own State legislature and what Governor Lang said when I looked at a list just behind his desk on the wall. I said, "What is that?" He had the members all listed and certain marks by the membership.

He said, "That is the unpaving program."

I said, "Unpaving program?"

He said, "Yes. If they don't write my program, we are going around and dig those roads up. We call it the unpaving program."

Well, we had some of that difficulty back in the thirties and the legislature, Senator Chafee, took it away from the Governor, and I think it has worked extremely well since.

Senator RANDOLPH. Strom, you want to comment?

Senator THURMOND. No; I don't have any additional statement. At that time, I believe the Governor called out the National Guard and took over the highway department, so they decided to change the law.

Senator CULVER. We may be learning more than we want to know.

Senator HOLLINGS. Mr. Chairman, if you would please excuse me, the tuition tax credit bill is on the floor.

Senator RANDOLPH. Is that of controversy?

Senator HOLLINGS. Well, I hope Senator Moynihan is waiting for me. Maybe that is the case, they are not waiting for me, and I am anxious to get back and see.

Senator RANDOLPH. Thank you very much for coming.

Senator HOLLINGS. Thank you.

Senator THURMOND. Mr. Chairman, I have another appointment. I wish to take this opportunity to thank you and the members for your courtesy on this occasion.

Senator RANDOLPH. Thank you, Senator, we are very appreciative of your presentation.

Without objection, we will include in the record a letter received from the Secretary of Transportation, Brock Adams, he would have been present this morning except for a commitment made outside the city that could not be changed. He does say that Mr. Bowers will exert strong leadership in developing the plans and carrying out the strategies of a strong and responsible national highway program.

Without objection, we will include in the record also the letter of endorsement from John W. Jenrette, Jr., who represents the Sixth District of South Carolina.

Is that the district in which you were born, Karl?

Mr. BOWERS. No, sir, that is a district in South Carolina.

[The letters referred to follow.]



THE SECRETARY OF TRANSPORTATION
WASHINGTON, D.C. 20590

AUG 10 1978

Honorable Jennings Randolph
Chairman, Committee on Environment
and Public Works
United States Senate
Washington, D.C. 20510

Dear Senator Randolph:

I regret that I cannot appear personally at your August 11 hearing. A long-standing commitment outside of Washington conflicts, but I am pleased to recommend your favorable consideration of the nomination now before your Committee of Mr. Karl S. Bowers to the post of Federal Highway Administrator.

In nominating Mr. Bowers for this important post, the President has designated the individual who is my choice for the job.

Mr. Bowers came to the Department of Transportation as a former Chairman of the State Highway and Public Transportation Commission of South Carolina. During his fifteen months as Deputy Federal Highway Administrator, Mr. Bowers has built on his already extensive experience and considerable skills to become knowledgeable in all aspects of the Federal highway program. He has, furthermore, applied this knowledge in directing the day-to-day activities of his agency and has taken an active role in the formulation of Federal highway policy.

I can also assure you that Mr. Bowers is keenly sensitive to the goals that the Congress and the American people have for their highway program and has, as you will learn from his appearances before your Committee, a strong personal enthusiasm to see these ideals realized.

Mr. Bowers will, in sum, exert strong leadership in developing the plans and carrying out the strategies of a strong and responsible national highway program.

Sincerely,

A large, stylized handwritten signature in black ink, which appears to be "Brock Adams". The signature is written over a circular scribble.

Brock Adams

JOHN W. JENRETTE, JR.
6TH DISTRICT, SOUTH CAROLINA

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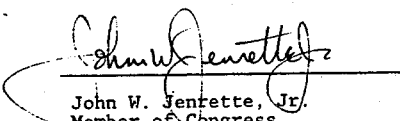
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August 10, 1978

Mr. Chairman, I appreciate your allowing me to address the Committee concerning my fellow South Carolinian, Karl S. Bowers, who has been named Administrator of the Federal Highway Administration of the United States Department of Transportation.

Our federal government can be proud to have such leaders as Karl Bowers in positions of responsibility. Mr. Bowers is a proven expert in matters relating to highway and transportation needs. He has served his native state of South Carolina very capably not only as the Chairman Emeritus and State Highway Commissioner with the South Carolina State Highway and Public Transportation Commission, but also as a former judge of Magistrate's court of Hampton County, South Carolina. He also has served competently in the capacity of Deputy Highway Administrator of the Federal Highway Administration.

As we seek to develop new improved programs and continue to effectively implement the existing programs in the Federal Highway Administration, we need the expertise of such a man.



John W. Jenrette, Jr.
Member of Congress
Sixth District, South Carolina

Senator RANDOLPH. Karl, you may make any statements you wish to the members of the committee.

**STATEMENT OF KARL S. BOWERS, ACTING ADMINISTRATOR,
FEDERAL HIGHWAY ADMINISTRATION**

Mr. BOWERS. Thank you very much.

First of all, I would like to thank the chairman and members of the committee for the expeditious setting of the hearing, since the nomination just came down Tuesday of last week. I really appreciate your efforts. I know it was some effort to set this meeting up at this early date.

Even though they have left, I would like to thank Senator Hollings and Senator Thurmond for their statements. I am pleased they think enough of me to come over and endorse me.

I have prepared a relatively short statement. I will submit that for the record and summarize to save time. (See p. 16.)

Senator RANDOLPH. However you would like.

Mr. BOWERS. It is a distinct honor for me to be nominated by the President to be Federal Highway Administrator. I appreciate the confidence shown in me by both President Carter and Secretary Adams. I do not take this nomination lightly, nor will I fulfill this obligation lightly.

A little has been said about my background. I am a native of South Carolina, educated in public schools, and have been in private business. I think one of the assets that I might bring to this job is my experience in county government for 6 years, my experience in State government for 4 years, and last but not least, my experience for the last 15 months in the Federal Government.

I think this gives me an opportunity to have a broad overview of all levels of Government, and helps me to understand better the unique Federal-State partnership as it exists in the Federal-aid highway program.

For the past 15 months, the first 11 of which were as Deputy Administrator, and the last 3-plus months serving as Acting Administrator, has given me an opportunity to get to know the Federal-aid highway program better than I did. I didn't come to Washington with any preconceived notion that I knew how to run a bureaucracy or that anything that needed to be straightened up I could do. I came with innovative ideas that would be well spent in the Federal Highway Administration.

I have spent most of this time traveling around the country interviewing our constituency, asking them how they saw our program and what we could do to make it work better. I came around to the thinking this is a tremendous program and worked well and served the Nation extremely well in the past.

I found the Federal Highway Administration extremely capable, people throughout the country, particularly in our field offices and our staff here in Washington. I look forward to continuing the Federal-aid highway program as an integral part of total transportation in this country if I am confirmed.

I will carry out the trust proposed by the President of the United States, President Carter, and Secretary of Transportation, Mr. Brock Adams.

Thank you, Mr. Chairman. I would be glad to try to respond to any questions that any members of the committee might have at this time.

Senator RANDOLPH. Thank you very much, Mr. Bowers.

I know that William Cox, your predecessor, has had a good working relationship with you. He has had confidence in you, and that confidence certainly has to proceed.

Senator STAFFORD.

Senator STAFFORD. Thank you, Mr. Chairman.

I appreciate your statement, Mr. Bowers. I read over your prepared statement as well. I do have one or two questions.

The first one, I must confess, indicates a parochial view on my part, because I do come from a rural State. In a sense I am asking not only for Vermont, but the other rural States of the country, some of which are represented on this committee. In States like mine, we have no urbanized areas, as that term is defined. I want the Federal Government to become more beneficially involved in providing public transportation in rural and small urban areas. I know a debate is going on at the Department of Transportation as to which agency in the Department is best equipped to operate a rural and small urban program. Can you tell the committee what the status of these discussions is, and whether you believe the Federal Highway Administration or UMTA is the more appropriate place for such a program?

Mr. BOWERS. My personal belief is that the rural demonstration program that you speak of, which has some 100 projects nationwide and I think four in your State, would operate best under the Federal Highway Administration. I think there are several reasons. First of all, because we have a State office in each State. If I might just expound slightly.

I think this is one of the reasons the whole Federal-aid highway program has worked as well as it has is because we have an office in each of the States that helps the State highway departments and State DOT work themselves through the complexity of the Federal-aid laws.

I, personally, think it has served us very well in the Federal Highway Administration, and my counsel to the Secretary has been to leave it in that particular organization.

Senator STAFFORD. Thank you, Mr. Bowers.

I note that South Carolina has removed only about 20 percent of the nonconforming highway signs and billboards as of last year. As former State highway commissioner, were you involved in the highway beautification program, and do you have any thoughts on the appropriate Federal role in this highway beautification program?

Mr. BOWERS. I was not involved in the highway beautification program as such. I had the unpleasant task of warning the chief highway commissioner in South Carolina, since becoming Acting Administrator, if better action was not taken at home that we would be forced to impose a penalty as required by law. We have subsequently met with people from South Carolina. They have assured they are going to make a good-faith effort to get in compliance with the beautification law.

Senator STAFFORD. I take it you are prepared to enforce the Highway Beautification Act as we have it on the books at the present time.

Mr. BOWERS. Yes; I am prepared to enforce all the laws as they are written, even if it means having to penalize my own home State.

Senator STAFFORD. That is a risk we all take. It happens in my case, too.

What do you think are the major issues you may face during your next 2 years in office?

Mr. BOWERS. The first and foremost major issue touched on by the chairman earlier, is legislation. We desperately need legislation before the end of the session. I see that as my first line, helping in conference committee, giving advice and counsel where it is sought, as soon as it passes both Houses.

Second, the implementation of these new features of the statute, whatever they may be.

Safety is a high priority.

But internally some of the things I hope to accomplish are reduction of redtape, reduction of duplication of efforts within the bureaucracy which take up valuable time and cost the States money in delaying their projects. This is one of my biggest priorities I have internally in my managerial efforts.

Senator STAFFORD. I wish you luck in accomplishing that task.

Mr. BOWERS. Thank you, and I appreciate your counsel this week.

Senator STAFFORD. Thank you, Mr. Chairman.

Senator RANDOLPH. The chairman of our Subcommittee on Transportation has a busy schedule this morning. He has altered it somewhat to come to be with us. Senator Bentsen of Texas I am sure might have comments or questions.

Senator BENTSEN. Thank you very much, Mr. Chairman. I am very pleased to be here with you. I visited with Mr. Bowers yesterday afternoon.

Mr. Bowers, what do you think of the approach of higher funding for highway expenditures and then relying on terms of the trust fund extended years beyond its authorization?

Mr. BOWERS. Senator, I agree with the administration's proposal that we should not try to spend money that we don't anticipate coming in. So I think that the 4-year recommendation of extension of the trust fund with authorization levels equal to those we can reasonably anticipate coming in is a more reasonable solution.

Senator BENTSEN. When do you anticipate having your agency report on the coal-haul roads?

Mr. BOWERS. I think we will have it the first of next week.

Senator RANDOLPH. I would like to just pipe in on that.

Senator BENTSEN. I knew you had some interest.

Senator RANDOLPH. As the chairman of our transportation subcommittee knows, earlier this week I presented an amendment, with the cosponsorship of Senator Huddleston, which would authorize \$100 million annually for the repair of these deteriorating coal-haul roads. I am not asking you this morning to say how you would feel if this amendment were voted up or down, but this study that was authorized in the 1976 Highway Act, would you indicate what knowledge have you of the subject?

Mr. BOWERS. After it was authorized, the Secretary set about in naming a committee to make a coal-roads study. It has been, I guess, delayed somewhat by an overreviewing process, but as I understand it, it is just about ready for distribution to the general public. I know it is at least in its final drafting stages. I was told earlier this week we could expect it next week.

Of course, it does not necessarily make any final recommendation. It is generally a report on the findings, this fact finding, that this group spent its time trying to discern, the problems that hauling of coal on the Nation's highways would cause. I do anticipate that the report would be ready by the first of next week.

Senator RANDOLPH. Thank you very much, Mr. Bowers. As Senator Bensten will be bringing our bill to the floor next week—I believe that you are—

Senator BENTSEN. We are hoping we can do that. We have been ready for some time. It has been a matter of scheduling problems on the floor.

Senator RANDOLPH. This report certainly would need to be received, and that should be considered.

Senator BENTSEN. I think it is pretty good timing on the part of Mr. Bowers that the report comes subsequent to his confirmation hearings.

Mr. BOWERS. I am just a beneficiary of good fortune.

Senator BENTSEN. The administration came up with an 80/20 matching factor for the Federal and State, whereas the committee bill gives an authorization on 70/30. Do you have any difficulty with that ratio?

Mr. BOWERS. No, sir, I have no difficulty with it. I would like to speak to the 80/20, if I may.

Senator BENTSEN. Certainly.

Mr. BOWERS. In traveling around to our constituent groups and to highway departments, one of the complaints was we had too many categories and differences in matching ratios. We did have several 80/20 matching ratios, some 75/25, and some 70/30, the majority were 70/30, and the Interstate at 90/10. One of the recommendations we made was to lump them all together, which would have been a net increase of Federal dollars, and at the same time we thought simplify the program in making them all 80/20, other than safety and interstate programs, which remained at 90/10. At the same time we hoped this would alleviate some of the crunch most of the States said they faced in financial difficulties.

Senator BENTSEN. Do you support the continued use of the highway trust fund for the generation of revenues we are going to need for the highway system?

Mr. BOWERS. Yes; I do. I think the trust fund has proved its worth. I think history is one of the things that we should learn from. I think in this case we have learned a good lesson.

Senator BENTSEN. Did you read that article in the Post this morning on Houston?

Mr. BOWERS. No, sir, I haven't had a chance to read the paper.

Senator BENTSEN. Well, it states the vehicle registrations are four times what they were in 1973; it is a little incredible, 418,000 to 1,771,000; that is in 5 years. No increase in freeway capacity since 1975, which as a geographic area would include Boston, Denver, Atlanta, Louisville, Detroit, and San Francisco. That makes it pretty tough for a mass transit system. Do you envision any modifications of the thrust of the Federal highway program to meet problems such as that?

Mr. BOWERS. Yes.

Senator BENTSEN. Los Angeles has something of the same kind of problem. But it makes real mass transit not feasible because we don't get the population concentration you need on the corridors. We don't have anything that approaches BART in San Francisco.

Mr. BOWERS. I think encouraging car pooling, high-occupancy vehicle lanes, use of buses and van pooling will be beneficial in those areas where rail and heavy transit programs are not feasible. I agree that it is a staggering statistic. I am not surprised. I am sure most other areas have grown just about as much.

I think those innovative approaches such as encouraging car pooling and giving incentive grants to States who implement these things would be beneficial.

I am a firm believer in car pooling. I live outside the beltway, and when I can ride in a car pool, it saves me an hour each way just about every day. I couldn't be a bigger believer in it, because I participate in one, and I preach this to the States when I go around. I think those are the kinds of things that we can encourage the State to participate in that would solve some of the single-car riders that clog our freeways.

Senator BENTSEN. I say to the chairman those Texans now on the freeways of Houston are so enthusiastic about the 55-mile-per-hour speed limit they have it down to 24 miles an hour. That is the average on the freeways.

Senator RANDOLPH. If we can't get it one way, we will get it another.

Senator BENTSEN. I have no further questions, Mr. Chairman.

Senator RANDOLPH. Thank you, Senator Bentsen.

Senator CHAFEE. I just want to get back to the question Senator Bentsen asked. This committee has recommended 70 percent for noninterstate, and, of course, the administration came in at 80 percent. I have some rather strong views on that. It was my experience in my home State that when the States make a meaningful contribution toward a project—and I think anything less than 30 percent is not meaningful—when they make a meaningful contribution, then they have some sense of oversight, they pay attention to the project because they are paying something for it. But if it is all Federal money or 80-cent dollars or 90-cent dollars, there is a tendency to take anything that is expensive. There is no oversight. It all comes from a magic place called the Federal Government. But apparently you feel you are an 80-percent man.

Mr. BOWERS. Senator, I might say the Federal portion has crept up over the years. This started out as a full partnership, 50/50. The main reason I support it, in addition to consolidation of all the categories, is that would give States one matching ratio other than safety and interstate. Our information, I can tell you firsthand from South Carolina, shows that the State revenues since the fuel embargo, oil embargo, have at least leveled off and in most cases have gone down. Some States have not experienced this, but they are really few and far between.

Senator CHAFEE. But there is nothing magic for a State to restrict its highway fund solely to the marked funds that come from gasoline.

Mr. BOWERS. Yes; some States earmark money for matching funds, you are right about that, or they could take it out of general funds. Most States have something similar to the national trust fund.

Senator CHAFEE. Yes; but we supplement the fund from general revenue in the Federal Government, and so can other States do it that way.

Mr. BOWERS. Most States have been reluctant to do that. As Senator Hollings said, we were one of the very few States who have been successful in the last half dozen years in getting any kind of increase in gas tax or additional appropriation from the general fund. Over half of the States have tried, but most of them have failed either getting revenue from the general fund or increasing their gas tax. So we thought in addition to consolidation, this would help the States in their financial crunch. That is the thrust of the 70/30.

Senator CHAFEE. The Federal Government is running a \$50 billion deficit. As the chairman of our subcommittee has frequently pointed out in our hearings on the highway bill, the States may be having trouble, but being realistic, the Federal Government is not immune to deficit itself.

Let me just say something else. I don't know how the chairman of our subcommittee, Senator Bentsen, feels about this, but I felt at our markups and at our hearings it is very useful to have somebody from the Highway Administration present who can speak up with some authority. We frequently have questions that we don't know the answer to. Of course, it is impossible for you to be here, but if your deputy or somebody you have confidence in could be here, not only to monitor, but so we can ask a question and get a specific answer that would be helpful.

Mr. BOWERS. Yes; we would usually provide that information later in written form. We would be glad to consider any requests.

Senator CHAFEE. I admit you can't have somebody perhaps all the time. Particularly in some of the markups I find it helpful to have somebody present who can speak with some authority.

Mr. Bowers. We would be glad to do that.

Senator CHAFEE. Thank you.

Senator RANDOLPH. Thank you, Senator Chafee.

Senator Culver.

Senator CULVER. I have no questions.

Senator RANDOLPH. No bridge questions?

Senator CULVER. There will be a couple next week.

Senator RANDOLPH. The highway program legislation I have mentioned is on the agenda of both the House and Senate. How much would be available for the interstate portion on October 1, without new legislation, Mr. Bowers, and what effects would this have on our national interstates?

Mr. BOWERS. You are saying without legislation?

Senator RANDOLPH. Yes.

Mr. BOWERS. Senator, I can say some 20 States currently have either obligated or are in the process of obligating all their funds by the time of the deadline. Your figure is accurate. Some 30 would be completely out of money. So we would have a lag that we certainly would want to not have if possible. That is why I think it is a detriment to the State programs if we have any break in the program. I am confident and optimistic we will have a bill before October 1.

Senator RANDOLPH. Mr. Bowers, we have two questions that are asked of all nominees. Would you be willing, when requested by the

appropriate committee of the Senate, to be available always to testify to the work that you are carrying forward, cooperate with the committee or committees in question?

Mr. BOWERS. Absolutely, without question.

Senator RANDOLPH. Do you have any conflict of interest from the standpoint of financial holdings or investments that you feel would impair your effort to carry forward this assignment, very important program of highway construction, that might cause you to shift from perhaps your position today? Do you want to discuss that, please?

Mr. BOWERS. No sir, I do not have any.

Senator RANDOLPH. No problem?

Mr. BOWERS. No, sir.

Senator RANDOLPH. We have your wife Susan with us this morning. We welcome you, Susan, to the hearing. We are also gratified that your brother Lee is here, and thank you, Lee, for being present.

If all the skies were parchment, if all the seas were ink, if all reeds were pens, and all men could write, they still could not match the redtape of this Government.

Now, several persons have spoken about redtape this morning. That is the reason I have quoted these words. They are certainly not my own. But if they are said today, let's realize they were said centuries ago by a Hebrew scholar who was in the Roman government.

Thank you.

[Whereupon, at 10:28 a.m., the committee was recessed, to reconvene subject to call of the Chair.]

[Mr. Bowers' prepared statement, a biographical sketch, and a letter from the American Road and Transportation Builders Association follows:]

COMMITTEE ON
ENVIRONMENT AND PUBLIC WORKS
UNITED STATES SENATE
95TH CONGRESS
2D SESSION
AUGUST 11, 1978

Statement of Nominee, Karl S. Bowers,
Federal Highway Administrator
Department of Transportation

Thank you, Mr. Chairman, and members of the Committee.

It is an honor to be nominated by President Carter to be Federal Highway Administrator. I am most appreciative of the confidence shown in me by President Carter and Secretary Adams and shall work hard to live up to that confidence.

I am a native of South Carolina, and a product of its public schools. After studying at the University of South Carolina, I did graduate work in business management at Virginia Southern University in Roanoke.

I served on active duty in the U.S. Air Force. I was engaged in my own real estate and insurance business in South Carolina for some 9 years. During the last 6 of those years, I also served as elected Judge of the Magistrates Court of

Hampton County and, in 1974, I had the honor of being chosen president of the South Carolina Magistrates' Association.

In the same year, the South Carolina legislature elected me to the State Highway and Public Transportation Commission, where I served successively as Vice-Chairman and Chairman in the years 1975 through 1977. I had the distinction of being named the first Chairman Emeritus in the 60-year history of the Department.

I was sworn in as Deputy Federal Highway Administrator on June 8, 1977, and have been the Acting Administrator since May 1, 1978. In the past year, I have had the unique privilege and opportunity to work side-by-side with former Administrator William M. Cox. This experience at the Federal level, coupled with my State highway and transportation experience, has given me excellent perspective of the essential Federal-State partnership in fulfilling transportation needs.

I see the duties of the Administrator as continuing vigorously to implement the existing highway programs and constantly encouraging the development of new and improved methods of carrying out our mission. This new responsibility would be a challenge to me, to be accepted with enthusiasm and dedication. I have found I can count on the highly trained and competent FHWA headquarters and field personnel to cooperate fully in our efforts.

Highways are as important and vital today as they have ever been in the past. The only difference is that today they are no longer a separate entity in the transportation field. We think of highways today as an integral part of the total transportation system, one which forms a connecting link with other transportation modes. As we move toward the close of the 20th century, our projections must not be limited, and our thinking must be in terms of total transportation responsibility.

Meeting this responsibility will involve hard and challenging work. It will require seeking out new solutions to stubborn problems and applying our very best efforts to convert those solutions into real results. With the help of the FHWA team, I will do my utmost to carry out this trust reposed in me by President Carter and Secretary Adams.

Mr. Chairman, I will be pleased to answer any questions you and the members of the Committee wish to ask me.

BIOGRAPHICAL SKETCH

KARL SMITH BOWERS

DEPUTY FEDERAL HIGHWAY ADMINISTRATOR

1977 - 5/1/78

Acting Administrator 5/1/78 til present

Born in Estill, Hampton County, South Carolina, on
October 13, 1941PERSONAL:Wife Susan (nee Davis) of Savannah, Georgia
Sons Karl, Jr., 11; Tim, 8; and Neal, 5EDUCATION:1963-1964 Virginia Southern College, Roanoke, Virginia;
A.S. degree in business management

1962-1963 Armstrong College, Savannah, Georgia

1959-1961 University of South Carolina, Columbia,
South CarolinaMILITARY SERVICE:

1962- Air National Guard (present rank Captain)

1964-1965 Active duty, Air National Guard

1961-1962 Active duty, Air National Guard

EXPERIENCE:1974-1977 State Highway Commissioner, South Carolina
State Highway and Public Transportation
Commission, Columbia, South Carolina
(Chairman, 1976-1977; Vice Chairman,
1975-1976)1965-1974 Insurance and real estate broker, Karl S. Bowers
Insurance Company, Estill, South Carolina1968-1974 Judge of Magistrates Court of Hampton County,
South CarolinaAFFILIATIONS:1968 Judicial Associate, American Bar
Association1968 Life Member, South Carolina Magistrates'
Association (President, 1974)

Masons

Member, Jaycees, Estill, South Carolina

Member, Lions Club, Estill, South Carolina

HONORS:1976 Named Chairman Emeritus, South Carolina
State Highway and Public Transportation
Commission (first recipient of this title)Prepared by: Office of Public Affairs (HPA-1)
Federal Highway Administration
Washington, DC 20590
(202) 426-0677

Chairman RICHARD B. STANDER

Senior Vice Chairman DON L. DOUGLASS

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President and Secretary DANIEL J. HANSON, SR.



American Road & Transportation Builders Association

August 7, 1978

AUG 8 1978

Honorable Jennings Randolph
United States Senate
Washington, D. C. 20510

Dear Senator Randolph:

The American Road & Transportation Builders Association is delighted to learn of President Carter's recent announcement regarding the appointment of Karl S. Bowers as Federal Highway Administrator. As you know, ARTBA has previously written to the President in support of this nomination.

In fact, last week at our Contractors Division meeting held in Florida, the following Resolution was adopted unanimously:

"The American Road & Transportation Builders Association strongly endorses the confirmation of Karl S. Bowers as the Federal Highway Administrator."

We look forward to your forthcoming Environment and Public Works Committee hearing on this subject and wanted you to know of ARTBA's feelings in regard to this matter.

Respectfully submitted,

Dan Hansen
Daniel J. Hanson, Sr.
President

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