



DEPARTMENT OF TRANSPORTATION

NEWS

OFFICE OF THE SECRETARY

WASHINGTON, D.C. 20590

14-DOT-71

REMARKS BY BENJAMIN O. DAVIS
DIRECTOR OF CIVIL AVIATION SECURITY
NATIONAL AVIATION SYSTEM
1971 PLANNING REVIEW CONFERENCE
April 26, 1971

AIR TRANSPORTATION SECURITY

At Chicago, during the last week of March, an insurance investigator assigned to test the effectiveness of cargo security measures climbed aboard a parked B-747. He wandered all over the aircraft, including the cockpit area, taking pictures without being challenged by anyone. The purpose of the pictures was to convince the top management of his airline customer that their \$24 million investment and the cargo it was carrying was not receiving adequate protection.

An off-duty customs officer and his wife recently did about the same thing at Los Angeles. They took a complete unguided tour of a parked B-747 without being challenged by anyone.

Some intoxicated individuals recently rummaged through three parked B-727's at Rochester, New York, -- possibly looking for liquor stores. They caused no serious harm to the aircraft, but the potential was clearly there -- particularly in the cockpit area where unintentional damage to one of the aircraft systems might have gone unnoticed and later developed into a serious safety problem in flight. At the minimum, a dropped cigarette by one of these drunks could have destroyed the aircraft.

The 16-year old boy who hijacked a National Airlines B-727 from Mobile, Alabama, on March 3, simply walked aboard the airplane without a ticket.

A 14-year old boy on March 31, slipped aboard a Delta DC-9 at Birmingham. He threatened a stewardess with a loaded automatic but was subsequently talked out of hijacking the aircraft to Cuba.

Since the Federal Aviation Administration's last Planning Review Conference in April 1970 twenty-two U. S. aircraft were successfully hijacked and 6 attempts were unsuccessful.

Unlawful seizures of aircraft represent a significant capital loss to the airlines, compromises safety, and erodes public confidence.

Add on the loss of a Boeing 747 at Cairo and a Boeing 707 in Jordan at roughly \$32 million for which the hull insurance liability is still pending court decision. This is just the tip of the iceberg. The real cost, and the safety implications, caused by the lack of security in air transportation is immense.

Bomb threats causing delay of departing aircraft or diversion of aircraft in flight increased 50 per cent in 1970 over 1969 -- that is from 400 to 600 threats. The first quarter of this year shows about the same rate of increase can be predicted for 1971 -- up 50 per cent over 1970 to about 900 threats. These diversions and delays are having a serious economic impact on the airlines. You may recall a recent magazine article describing how a 10 cent phone call cost Pan Am \$57,000. Also, I believe you will agree that unscheduled landings are undesirable from the standpoint of safety. Until we have fully effective measures to control unauthorized access to aircraft and a device to rapidly screen large volumes of baggage and cargoes for explosives, the only recourse for the airlines is to take precautionary measures appropriate to each particular threat.

Accurate information on air cargo thefts is not available. Senator Bible stated before the Senate Commerce Committee last September that "airline carrier losses in 1969 were \$50 million to \$100 million and probably more." While my office is not directly interested in air cargo losses, there is a very close relationship between crime in air transportation and aviation security. If thieves can't get at cargo, it is also safe from sabotage. More important, the airport will also be safer from other unlawful acts.

FAA's objectives and policies for the National Aviation System (NAS) must move toward a cure for these ills. As I understand it, the FAA seeks to provide a balanced air transportation system, as a part of the overall national transportation system.

I read that the National Aviation System must have the following attributes:

- ...Be safe
- ...Be economically viable
- ...Be consistent with broad national goals
- ...Be environmentally acceptable
- ...Have user and public acceptance
- ...Be substantially user-supported.

I concur completely with these fine attributes. I submit, however, that there is another attribute that must be included if we are to enjoy a balanced air transportation system --

- ...It must be reasonably and sensibly secure from unlawful interference and all other forms of unlawful acts.

The NAS documents -- some 460 pages of very excellent planning and policy data, have only a three-sentence paragraph in direct reference to civil aviation security -- on page 159, the chapter on manpower in the ten-year plan.

Security -- or the lack of security -- is a multimillion dollar problem of serious concern to the Federal government, the airlines, the passenger and the shipper. Surely it warrants more attention and planning. This multimillion dollar problem not only has a significant impact on the economic health of this Nation, but it also has some very serious safety implications and safety is the basic theme of the NAS Plan.

The FAA Flight Standards Service has some 5,500 employees working full-time to assure that all U. S. registered aircraft are airworthy; that the aircrews are competent; that the navigation systems are accurate -- and remain accurate -- and that the weather minimums are safe at each instrument airport, for each runway, for each type of aircraft.

The FAA Air Traffic Service has some 25,000 dedicated employees working full time and overtime using a billion or so dollars worth of equipment to assure that all aircraft move through this Nation's airspace safely and expeditiously.

In fact, all of the FAA, an organization of some 50,000 people supported by a one and one-half billion dollar annual budget are dedicated to air safety.

Now -- picture an FAA certificated Boeing 747 with a FAA certificated crew aboard, ready to proceed with its mission of providing the public with safe, convenient and necessary transportation service, as certified by the Civil Aeronautics Board. Each individual, piece and part, in the NAS stands ready to assure a safe and expeditious flight. Then unfortunately, this beautifully balanced environment of safety can suddenly and easily be unbalanced by the lack of adequate ground security measures. An individual -- he might be mentally disturbed; he might be intoxicated, or on drugs; he might be a cold-blooded revolutionist bent on changing things in this country or a youthful vandal or a common criminal -- that individual, without much effort or intelligence has ready access to aircraft at most airports in the United States.

No long-term solutions for air transportation security, other than passenger screening have been developed. What is needed, in my opinion, is the kind of planning such as is being done by the FAA for the National Aviation System.

The very brief reference to security in the NAS document is related to the sky marshal program which is a reactive and temporary measure. By next year at this time perhaps we will have enough ground security to enable us to recommend phasing down this program. We have always believed that air security is to be found on the ground.

President Nixon, last September, directed the acceleration of present efforts to develop security measures. Also, the U. S. government had already endorsed a very complete list of ground security measures developed at the Extraordinary Session of the International Civil Aviation Organization Assembly which convened in Montreal last June. But we have not applied these measures at our airports.

I would like to read a short paragraph from a six-month status report on civil aviation security which was submitted by Secretary Volpe to the President on March 11, 1971. This paragraph expresses the views and general policy of the Secretary of Transportation on airport security.

"The very basis of civil aviation security is the capability at each airport complex to protect aircraft, passengers, terminal buildings, cargoes, hangars, fueling systems, and air navigation facilities from any form of unlawful act. Since the beginning of aviation in this country, the Federal Government has not involved itself in airport security matters,

leaving these particular problems with the airport operators, airlines, and local authorities. The situation today, however, demands leadership and assistance by the Federal Government to prevent recurrence of unlawful acts and crimes against U. S. national and international air commerce."

In addition to leadership and assistance it is necessary to add a third ingredient to accelerate the implementation of airport security measures -- Federal regulation. Why Federal regulation? Why not a cooperative and voluntary effort? The answer is that we are concerned with the expenditures of large sums of money on the basis of a system of priorities. Some have proposed incorporating minimum security measures with safety standards in the FAA's new Airport Certification Program. Others prefer the issuance of a new separate regulation. I favor the Airport Certification Program -- for four reasons:

- (1) Safety and security are closely related. Airport fencing would meet a safety requirement at the same time it met a security requirement.
- (2) Federal matching funds might not be available for certain security measures if a separate regulation is issued. A guardhouse for vehicular and pedestrian control to the cargo and service areas might be eligible for Federal funds under the same criteria as a firehouse would qualify under the Airport Certification Program.
- (3) The airport certificate has leverage -- leverage to expedite implementation of long needed security measures.
- (4) The time for action is now. The time we take waiting for another regulation allows that much more time for airport crimes to go unchecked.

The Airport Operators are concerned with the prospect of demanding security from those they don't control. I agree that they can't be tagged with responsibility without authority. I believe the careful application of security standards can and will help airport operators. This will be a gradual program and reflect a long-term security build-up. We do not want to close any airports. We do want airports to stop being public parks. The public should and must have free access to the many public facilities at an airport but access to multi-million dollar investments in aircraft

and facilities must be restricted. Similarly, only authorized persons should be allowed in cargo and baggage areas. The Department of Transportation is vitally concerned about crime in transportation. Minimum security standards will help considerably.

Airport security can be largely achieved by applying three basic concepts:

- Vehicular access controls
- People access controls
- A vehicle and people identification system.

The FAA's 1972 NAS documents must cover aviation security. May through July is the designated period for proposing changes and additions to these documents. With my office being established in October last year, this will be our first opportunity to make recommendations.

I believe that aviation security should be an identifiable element -- a working element -- in the Nation's Air Transportation System. It has to be if we are to achieve a balanced air transportation system.

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DEPARTMENT OF TRANSPORTATION

NEWS

OFFICE OF THE SECRETARY

WASHINGTON, D.C. 20590

30-DOT-71

EXCERPTS OF REMARKS BY BENJAMIN O. DAVIS, ACTING
ASSISTANT SECRETARY FOR SAFETY AND CONSUMER AFFAIRS,
U. S. DEPARTMENT OF TRANSPORTATION, BEFORE THE
REPUBLICAN ORGANIZATION OF LAKE COUNTY (OHIO), JUNE
25, 1971

I am here today to give you some insight into your government's efforts to cope with the problem of air piracy. Recently I was given the additional responsibility of providing government leadership in an all-out effort to stop the annual losses of billions of dollars as a result of cargo thefts from the transportation industry. With your indulgence, I will expand my remarks to touch on this subject as well.

First, though, I would like to say something about my bosses--President Richard M. Nixon and Secretary of Transportation John A. Volpe.

When President Nixon, last September, asked me to coordinate the Federal government's civil aviation security program he promised his full support. And he delivered it on numerous occasions. Concerned as he is with ending the war in Vietnam and faced with a myriad of domestic problems, the President was determined that he would do everything he could to prevent a repetition of the events of last Labor Day weekend which placed the lives of hundreds of airline passengers and crew members in deadly peril at the hands of terrorists.

President Nixon ordered the creation of a force of armed Federal sky marshals to ride our airplanes. The first sky marshals were officers from the Department of Transportation's Federal Aviation Administration, the Departments of Justice and Treasury and other Federal agencies. The Defense Department made available more than 800 volunteers. The Treasury Department, in record time, set up a special school and recruited and trained more than 1,200 civilian sky marshals. The State Department negotiated an international agreement signed by more than 50 nations, which provides for the return or prosecution of hijackers.

None of these agencies were blessed with spare manpower or money. Each faced demands which greatly exceeded their resources. President Nixon said "do it" and those involved came through with the greatest demonstration of interagency cooperation and coordination that I am aware of. That's what happens when the President of the United States pledges his support.

John Volpe, too, is a man whose promises are backed by actions. Recently someone commented that only a Republican ex-governor could get away with what he tells industry and governors to do. When he was named Secretary of Transportation his critics said he was a roadbuilding fanatic who would pave over the country. These same critics today praise him for blocking highway projects that would have destroyed parks, historic areas or urban neighborhoods. By no means is Secretary Volpe against highways. He appreciates fully the tremendous mobility and independence that the automobile has given the American family. He is well aware of how much of America's goods are moved by trucks and the great extent to which urban mass transportation relies on buses. But he warns us that excessive dependence on the private automobile threatens the life of our urban centers.

Last year President Nixon and Secretary Volpe succeeded in getting five major transportation bills passed by the Congress. Most of them passed by overwhelming majorities so you can see that the efforts to cure this country's transportation problems are getting strong bipartisan support.

To refresh your memory let me just tick off what was done by a single Congress:

- * a \$7 1/2 billion program to upgrade our air traffic control system and to expand or build airports;
- * a \$10 billion program to develop mass transportation in our cities;
- * the first comprehensive railroad safety bill in history;
- * the establishment of a railroad passenger corporation to preserve and revitalize a form of intercity transportation that was on its way out; and
- * a new highway bill which gives us wider latitude in funding highway and highway-related projects and recognizes the social cost of highways.

This new legislation is only the beginning of a long and difficult effort to perfect the transportation system in this country. We've got a lot of problems but we're working with the best transportation system in the world. Many of you here today will be actively involved in that effort; all of you will be paying for it. So give it your best.

The problem that I have been working with for nearly ten months is air security. The most visible aspect of this job is the effort to stop aircraft hijackings. You know, it's only been recently that many people have come to believe that hijackings could be stopped.

Hijackings began to increase in frequency in the late Sixties. Neither government nor the airlines believed that there was any way to stop them and still keep our vital air commerce industry functioning properly. In January 1969 John Volpe took office as Secretary of Transportation and hijackers took 13 of our airplanes to Cuba. The actions were coincidental, of course, but Secretary Volpe took it as a challenge. He directed the Federal Aviation Administration to find a way to put an end to these very dangerous diversions.

While the FAA's task force worked to find a solution--no easy job I assure you--hijackers kept on working too. We had 39 hijackings during 1969. But the FAA was successful too. They devised a method of preboard screening which has proven extremely effective.

The heart of the procedure is a behavioral profile of potential hijackers. By analyzing each hijacking incident the FAA discovered that a hijacker goes about the business of getting on an airplane in a manner which is shared by less than one-half of one percent of all air passengers. That's still a lot of people but it is a manageable number. On your next air trip one of you might accidentally do one or more of the things hijackers do and--if the airline is on its toes--you will become what we call a "selectee". If you are singled out, don't be offended. The airlines know that nearly all selectees are perfectly innocent passengers and they are eager to speed you on your way.

The use of weapons detectors and the presence of Federal officers in the air terminal are also major components of the FAA system

Have we prevented any hijackings? Yes, I'm certain of it and so are the airlines. We have arrested more than 300 people for attempting to board an aircraft with a weapon. Certainly not all of them intended to hijack an airplane and we can't prove that any of them had that in mind. But I think it is reasonable to assume that some did.

We have found guns and other weapons discarded in trash bins and flower pots near boarding gates protected by detectors. We have had passengers flee terminals, leaving valuable tickets behind, rather than talk to a U. S. marshal. Yes, I believe we have prevented a good number of hijackings.

Why haven't we stopped them all? The system isn't perfect in the first place and its use is only now coming into widespread application by the airlines. As I said earlier, we had 39 successful hijackings in 1969. There were only 18 in 1970 and we've had 8 so far this year. I would also like to point out that of the last five attempts to hijack U. S. airliners, four failed and the hijackers are in custody.

Our objective in aviation security is to develop our capabilities on the ground to the point where it will no longer be necessary to use armed sky marshals as part of our defensive system. There was and still is a lot of opposition to the use of sky marshals. President Nixon's decision to use armed guards was a bold one because he was

well aware of this opposition and the possibility of widespread disfavor among the public. But he strongly believed that resistance is the only way to stop this menace. As long as we were willing to be patsies we were going to continue to be knocked off.

Of course, the President knew his people too. Americans have never been content to let someone push them around. They prefer to fight back. There were no howls of fear from airline passengers. They are our strongest supporters.

On June 17 in Washington we began a new fight, one in which we hope to enlist the support of all Americans. This is the fight against the theft of truck, air, rail and ship cargo. Senator Alan Bible's Committee on Small Business estimates 1970 crime-based losses nationwide at \$1 1/2 billion--the trucking industry lost \$900 million; the railroads \$250 million maritime shipping \$200 million; and the airlines \$110 million. These are direct losses and are very conservative estimates.

If we add the indirect costs to the shippers and carriers--for claim processing and other paperwork, insurance premiums, manpower--the impact on the national economy could approach \$8 to \$10 billion a year. And it is you--the consumer--who pays the bill. Let's face it--included in the price of nearly everything we buy there is a surcharge paid to organized crime.

Up to now the government and the industry have been slow to respond to the challenge. We have tended to gloss the problem over as being merely petty pilferage, simply another cost of doing business. Senate investigations are beginning to piece together the total crime picture and what we see isn't pretty--fear, intimidation, bribery, blackmail, payoffs and rewards, threats and vengeance.

Recently a convicted mail thief told Senate rackets investigators how his gang stole more than \$100 million in furs, jewelry and securities from airports across the nation. He told of stealing entire truckloads of mail, to stealing and driving airport vehicles, of fencing stolen goods to organized crime. Attorney General Mitchell reported recently that \$70 million worth of securities were stolen from registered mail pouches at Kennedy International Airport in less than three years.

We have already begun work on making our airports more secure. The Federal Aviation Administration is now hiring 162 new specialists in airport ground security. Their prime mission is assuring safe flights for passengers, mail and cargo. Their efforts to protect the system from those who would do harm will also frustrate those who would steal.

Secretary Volpe, at a Cargo Security Conference held in Washington last week, signaled the beginning of a concerted interagency, intermodal drive to eliminate the menace of crimes against transportation.

"He who steals from transportation," Secretary Volpe said, "is stealing from a major segment of the American economy. He who steals from industry has a major impact on the consumer; he who steals from the consumer arouses the full force and concern of the Government."

Secretary Volpe announced that he had established a new Office of Transportation Security within the Office of the Assistant Secretary for Safety and Consumer Affairs. He asked me to take on the job of developing effective transportation security and I accepted with the full knowledge that the problem is more than likely even greater than any of us realize. But I am bolstered by my experience in civil aviation security. I know what government and industry can do when they make a determined effort.

On Wednesday of last week the Interagency Committee on Transportation Security, sponsored by Secretary Volpe, met to identify interagency responsibilities. This committee consists of representatives from the Departments of Transportation, State, Justice, Treasury, Commerce and Defense; the Administrators of the General Services Administration and the Small Business Administration; and the Chairmen of the Interstate Commerce Commission, the Federal Maritime Commission and the Civil Aeronautics Board. As you can see this is a broad scale effort.

The Department of Transportation's Office of Transportation Security will provide leadership in all phases of cargo security. We are not getting into law enforcement. It is our goal to significantly reduce or

eliminate the theft of cargo through preventive maintenance. We will be concerned with such security elements as personnel identification, packaging, locks, guards, alarms and communications systems.

Each of you has a part to play in the upcoming fight. It is up to you to provide your local law enforcement people with the support and the resources they need to combat organized crime.

There is a critical need to improve our court procedures. Law enforcement goes beyond arrests and prosecutions. It is also the sound administration of justice. Our courts need good laws and good people. Where you find shortcomings, I urge you to bring this to the attention of your state government.

Our efforts to stop crimes against transportation are going to cost money, both for government and industry. Until we get a real look at the total cargo theft picture, we can't say how much it will cost. But even if it costs as much or more than the amount being stolen we have a moral obligation to stop underwriting the activities of organized crime.

In the early days of our country, we were faced with criminals attacking our transport system--the Barbary Pirates. We rallied then to the cry of "Millions for defense, but not one cent for tribute." It is time today to start doing what must be done; spending was necessary to avoid paying tribute to organized crime.



DEPARTMENT OF TRANSPORTATION

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NEWS

OFFICE OF THE SECRETARY

WASHINGTON, D.C. 20590

65-DOT-71

REMARKS BY BENJAMIN O. DAVIS, JR., ASSISTANT SECRETARY OF
TRANSPORTATION FOR SAFETY AND CONSUMER AFFAIRS
BEFORE THE THIRD INTERNATIONAL SYMPOSIUM ON PACKAGING
AND TRANSPORTATION OF RADIOACTIVE MATERIALS
RICHLAND, WASHINGTON, AUGUST 16, 1971

I am delighted to have this opportunity to be with you this morning. I have been involved with the Department of Transportation's hazardous materials program only since July 1--not quite seven weeks. Considering that many of you have been working with the problems of transporting radioactive materials for as much as 25 years, it may seem presumptuous for me to be here attempting to set the keynote for this symposium. But I've had a lot of good advice from some of our Department of Transportation experts--people like Bill Burns and Al Grella--so here goes.

I'll begin by going back to about the time this industry started-- back to April 16, 1947--back to Texas City, Texas. That day a French freighter, the S. S. Grandcamp, was loading ammonium nitrate for shipment to Europe for agricultural purposes. Ammonium nitrate, of course, is an ingredient of some explosives. Some 2,300 tons of the chemical had been loaded when a fire broke out in one of the ship's holds. The master--apparently thinking of his cargo in terms of fertilizer rather than explosives--made a mistake. Instead of flooding the fire, he attempted to smother it by sealing the hold and piping in steam. A sensible tactic in many cases, but it can't work with ammonium nitrate. The ship exploded, destroying the docks and most of the city. Five hundred and sixty-eight people were killed; 2,000 to 3,000 people were injured; total damage was about \$67 million.

Since then, hazardous materials have scourged many communities-- South Amboy, New Jersey; Roseburg, Oregon; Laurel, Mississippi; Crete, Nebraska; Dunreith, Indiana; Brooklyn, New York--each will remember its day for a long time.

In 1970 President Nixon and Secretary Volpe succeeded in getting enacted the first comprehensive railroad safety bill in history--a law which also provides for greater authority over the transportation of hazardous materials. Much of the impetus for passing the Railroad Safety Act was supplied by several spectacular derailment accidents and by the public's exceedingly great concern over Defense Department shipments of poison gases for disposal. Events such as these are very visible and emotional. Less visible, but equally sobering, is the fact that chemical production in the United States over the past 15 years has increased by more than 375 percent. And that percentage growth is applied to a base that 15 years ago was already very substantial.

Each year more than 500 new chemicals are developed, most of which eventually get into the transportation environment. The volume of hazardous materials moving in our transportation system records a parallel growth so that each passing day exposes the public to an increasing degree of risk. To offset this danger, we must work constantly for better packaging and for safer transport.

The rapid development of new substances makes it infeasible to attempt to set packaging standards on a specification basis. I prefer to rely on performance standards--tell the industry the level of safety it must attain and then let it do the job the best way it can. New substances may require new and innovative containers. If our research chemists develop a universal solvent, someone is going to have to come up with something to put it in.

Passage of the Railroad Safety Act last year reflects the serious concern the Federal Government feels for the problems of railroad safety and the transportation of hazardous materials. Title III of the Act--entitled the Hazardous Materials Transportation Control Act--is the most significant piece of legislation relating to the safe transport of hazardous materials since the original Transportation of Explosives Act back in 1908.

The new Act directs the Secretary of Transportation to:

1. Establish facilities and staff to evaluate the dangers of shipping hazardous materials;
2. Establish a central reporting system for hazardous materials accidents which will provide information and advice to emergency crews working to handle an accident involving hazardous materials; and
3. Review all aspects of hazardous materials transportation to determine the appropriate steps to be taken immediately to provide for safer movement of such materials.

The Department of Transportation's Office of Hazardous Materials is now working to implement this law. On January 1 of this year, it established a new uniform, multi-modal hazardous materials incident reporting system. With this system, we can get and analyze the data we so vitally need if we are to maintain a current capability to cope with all of the hazardous materials being shipped today and those developed tomorrow.

In the near future, we will propose a completely new system for multi-modal hazardous materials package labels and placards. It will be called the "HI" system--for Hazardous Information--and will encompass the major elements of the United Nations hazardous materials classifications. This system's objective is to provide complete and rapid identification of hazardous materials involved in a transportation accident--information that is vital to fire, police and other emergency response personnel.

We have begun an extensive effort to determine more appropriate hazardous materials classifications. Our 1971 appropriation for this work was \$180,000 and we have requested an additional \$50,000 to continue the work in this fiscal year.

Recently we began a series of one-week training courses on the transportation of hazardous materials. They are being held at universities in various parts of the country and are being very well received.

The regulatory standards for radioactive materials are well established, thanks, primarily, to an attitude that has prevailed right from the beginning--that safety is a prime program objective. With most non-radioactive hazardous materials, safety has to play catch-up. Much of the credit must also go to the harmonious relationship between the Atomic Energy Commission and the Department of Transportation. The memorandum of understanding between these agencies is being updated and Al Grella will have detailed information on that, as well as on the Department's present regulatory role, in his paper this afternoon.

The transportation safety record of your industry is phenomenal--not a single death from radioactive materials in 25 years of operations. The only transportation enterprise that can match that are the NASA space flights. Both share a common premise--absolute safety is mandatory.

During the past 25 years a lot of people have been killed and injured in accidents involving other hazardous materials. The public is apprehensive about these accidents, but not alarmed. Perhaps unconsciously, the public has erected a rather high acceptable risk threshold for non-radioactive materials. In spite of the fact that they are the most safely transported of all hazardous materials, the public has no risk threshold whatever for radioactive materials.

Public fear originates from the introduction of nuclear energy to the world in the form of a weapon. The awesome spectre of the mushroom cloud haunts our memory. Psychologically, the average citizen is better able to cope with the yellow cloud of poisonous gas, the petrochemical fireball, or the blast of dynamite. He fears these things--and rightly so--but they are tangible dangers--things that he can see or hear or feel. Radioactivity is an invisible force which can strike him without his being aware of any danger at all.

I was told a story recently which illustrates this point in a light vein. It happened some time ago at a place not too far from Richland. A railroad boxcar carrying material from Hanford derailed and fell into a river. When a railroad crane was pulling the car back onto the roadbed, a door opened and some containers fell out and broke open. One of the two AEC safety officers observing the salvage operations wanted to record the scene and ran back towards his car to get a camera. He hadn't gone far when the crane operator sped past him. The spilled materials on the embankment was as harmless as it looked but it took some convincing to get the crane operator back to work.

Obviously, we have to get back to work educating the public so that they are able to understand the great potential good that lies with the use of nuclear materials and know what the dangers really are. The public needs to develop a sound perspective for viewing the transportation and use of these materials.

Electricity is going to play an increasing role in meeting future energy demands. Today 25 percent of the energy requirements in the United States are met by electricity; by the year 2000 the forecast is 50 percent. Some people complain that power plants are major polluters and that we should cut back on power demands. But these people overlook the fact that power plants burning coal and oil are much more efficient, and must less polluting, than would be possible if electricity users individually had to burn coal or oil for their energy requirements.

A major contributor--if not the major contributor--to air pollution is the transportation system, particularly motor vehicles. One-tenth of one percent of transportation in this country is powered by electricity. The Department of Transportation is trying to foster development of non-polluting transport systems. To do that, propulsion systems must depend heavily on electricity.

To improve our environment we are going to have to rely on more, not less, electricity. The fission power plants of today and the fusion plants of tomorrow will play an increasingly greater role in meeting this demand. And that means there is going to be a lot more radioactive materials moving about this country than there is today.

On July 27 in Washington, AEC Chairman Seaborg spoke on the subject of nuclear energy and the environment. He detailed some possible impacts of a hypothetical national moratorium on nuclear power development. If you are not familiar with the speech, I commend it to you. Ecology is in fashion today but we have few ecologists. Most people concerned with ecology are simply against something and are unaware that ecology involves a complex system of balanced forces. Strengthen or eliminate one force and the system changes.

Dr. Seaborg points out that today there are "too many people who, alarmed by current environmental conditions, seem too willing to throw up their hands in despair, who are giving up too soon on the human race, on its intelligence and its ability to meet challenges with new creativity."

That kind of attitude cripples sensible development of our nuclear industry. People are afraid that an accident might cause a power plant or a railroad car carrying enriched uranium to explode. The procedure for getting uranium to detonate is exceedingly complex; it can't happen spontaneously. If there were an excursion, or runaway, of a power plant reactor--which presupposes simultaneous failure of all safety control systems--the reactor core might melt but it wouldn't explode. And fission would stop.

If an accident stops fission in a system designed ideally to sustain it, it is extremely unlikely that nuclear fission could be started by a transportation accident. Packaging systems, of course, are specifically designed to prevent that extreme unlikelihood from developing even in the worst credible accident.

If the public is ever going to regard nuclear materials as just one of many hazardous materials, it must be much more knowledgeable than it is today. The burden of providing the necessary education falls on the shoulders of people like you. Aside from Admiral Rickover, you can't expect people to assign much credibility to a former military man on a subject of this nature.

To be effective, you must maintain your perspective too. When you talk with colleagues at meetings such as this one, you speak with a common understanding of the problem. Don't make the mistake of thinking that the general public shares even a smattering of this understanding. Their fears are real and very deep-rooted. The education task is a formidable one.

We have had a whole generation grow up in this country regarding air travel as commonplace. Across the generation gap their elders still regard flying with wonderment. Perhaps in another generation people will accept the risks and benefits of nuclear technology for what they really are.

The major technical concern for hazardous materials today seems to me to be in the packaging of materials for transportation. Until we are able to improve substantially on the safety of our transport system, we have to anticipate transportation accidents and design our packaging to withstand these accidents without catastrophic results. The Department of Transportation is making a determined effort to make transport as safe as possible but it is going to take a long time.

The risks associated with transporting hazardous materials have been carefully considered in establishing the current safety standards. These standards are not perfect--not by any means--but they have performed their job quite well. They will be modified from time to time as we gain experience and as a result of symposiums such as this one.

If there is one keynote I can strike for this symposium, it is "get the word out and see that the word is understood." Talk to the people who are concerned--to schools, to news media, to community groups. People are being pulled into tomorrow's technology and they aren't prepared. It's up to you to help them handle it.

I wish you every success this week in your discussions.



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36-DOT-71

REMARKS BY BENJAMIN O. DAVIS, JR., ASSISTANT SECRETARY OF
TRANSPORTATION FOR SAFETY AND CONSUMER AFFAIRS,
BEFORE THE AMERICAN SOCIETY FOR INDUSTRIAL SECURITY,
CHICAGO, ILLINOIS, SEPTEMBER 16, 1971

I am very pleased to be participating in this 17th Annual Seminar on Industrial Security. It provides me with an outstanding forum to talk about our two transportation security programs. First, I will give you a progress report on the civil aviation security effort, an effort which in 1971 has completely turned around our hijacking experience. Second, I will outline the objectives of our new cargo security program.

In any discussion of civil aviation security, two dates must be kept in mind -- January 1969 and September 1970. Prior to January 1969, the accepted method of handling a hijacking was totally passive -- take the hijacker where he wanted to go and get the airplane and people back as quickly as possible. In January 1969, John Volpe became Secretary of Transportation and, coincidentally, we had our most active month for hijackings -- thirteen planes diverted to Cuba. Secretary Volpe declared that the Department of Transportation would no longer be passive. He directed the Federal Aviation Administration to find a way to end these dangerous diversions.

In September 1970 Palestinian terrorists hijacked four jetliners -- two U. S. , one British and one Swiss. These planes were destroyed on the ground and the people who were on them were in very great peril for their lives for many days. President Nixon -- determined that this would never happen again -- put the full force of the Federal Government behind the air security effort. He created an Interagency Committee on Civil Aviation Security, which I chair, comprised of representatives from the Departments of Transportation, Treasury, Justice, State, and Defense. This is not a study committee; it is an action committee -- it gets things done. President Nixon also ordered into being the force of armed Federal sky marshals which, I am firmly convinced, has been a definite deterrent to the terrorist-type of hijacking.

We are winning the battle. Potential hijackers are getting the word that it is not easy for them to get on board an airplane and -- should they get on board -- most likely, they will wind up arrested rather than safe in a place of refuge.

Our air security efforts are directed at three areas: deterrence -- keeping potential hijackers off airplanes; control -- thwarting a hijacking attempt; and extradition -- getting hijackers back for prosecution.

On deterrence -- through July hijacking attempts were running at about the same rate as 1970. In August there were no attempts -- the first free month in three years. On September 3 we had another attempt.

On control we have turned the situation around -- thanks to the combined efforts of flight crews, airline management, law officers and a lot of other people. Eleven of the last 14 attempts to hijack U. S. airliners have failed and the would-be hijackers were arrested or, in one instance, killed. In the three years, 1968-70, there were 94 attempts to hijack U. S. airliners and 76 succeeded. Furthermore, nearly all of the failures resulted from the hijacker losing his nerve and not from any attempt to stop him.

On extradition -- 74 nations of the world have signed an international agreement providing for the extradition or prosecution of aircraft hijackers. These nations cover the political spectrum -- Israel and Arab states have signed, communist and non-communist nations, new republics of Africa and old republics of the Americas, Western and Eastern nations.

Cuba has not signed and we have not been able to work out a unilateral agreement. But Cuba has increasingly shown displeasure with hijackers and Havana is not as attractive a lure as it once was. The Peoples Republic of China has not signed but did express its displeasure over hijackings to the crew of a Philippine airliner forced there some months ago.

We have had hijackings now and again around the world since 1930. It was not until the late sixties that their frequency increased alarmingly. There were 22 hijacking attempts in 1968 and 42 in 1969. Neither the Government nor the airlines felt that hijackings could be prevented without seriously hindering, or even crippling, our vital air commerce.

Each day U. S. air carriers operate some 14,000 flights and handle about 465,000 passengers. Members of this society will certainly understand what would happen to airline operations if we required passengers to be at the airport five or six hours before flight time so they and their luggage could be thoroughly searched.

It being manifestly impossible to search every passenger, a way had to be found to pick out a smaller number for special attention. Following Secretary Volpe's direction, the FAA painstakingly examined every hijacking incident and discovered that hijackers go about the business of getting on an airplane in a manner shared by only one passenger in 200. That is one-half of one percent. But one-half of one percent of 170 million annual passengers is 850,000 people -- and that is a lot of people. It is, however, a manageable number.

I want to stress that the screening profile is based on behavior -- on what people do -- and not on what they look like. It has nothing to do with race, color, national origin, dress or hair style. It does not rely on subjective judgments. Profile factors are definite, can be readily observed by trained personnel, and are applied innocuously.

Almost all persons matching the hijacker profile are perfectly innocent passengers and after being checked by a weapons detector and talking to airline or security personnel are quickly cleared. We have found that people are comforted, rather than annoyed, by these procedures.

Many passengers, though, are not perfectly innocent and the screening profile and weapons detectors are picking them off. There have been more than one thousand arrests made as part of this program, most of them for illegal possession of weapons or narcotics. Wanted criminals have been apprehended. The movements of known criminals are readily monitored by alert airport personnel.

Properly applied, the screening system is very effective. There have been 17 attempts to hijack U. S. airliners this year. Subsequent investigations have determined that in ten of these cases the hijacker met the profile but was permitted to board the aircraft because screening procedures were not used or were not done properly. Of the others, one was an Army inductee who boarded with some 60 other inductees -- a procedure which leaves little opportunity for individual behavior. Another stole a boarding pass. Four hijackers forced their way on board -- these incidents underscore our lack of good ground security.

The remaining incident recorded a big plus for screening. A man on a Newark to Miami flight told a stewardess he had a grenade in his pocket and would detonate it if the plane did not go to Cuba. The pilot alerted air traffic control and identified the passenger. Word was passed to the airline security people and a check with Newark revealed that the man had met the hijacker profile and had been stopped and searched. There was no grenade. The pilot landed at Miami and the would-be hijacker was arrested. Had the airline not done its job in Newark, the pilot would have had no basis for calling the bluff and in all probability, the plane would have gone to Cuba.

We have found guns, knives, and other weapons discarded in trash bins and flower pots near boarding gates protected by weapons detectors. We have had passengers flee terminals leaving expensive tickets behind, rather than talk with security officers. Certainly not all of these people intended to hijack an airplane and we cannot prove that any one of them had that intent. But I am convinced that our security efforts on the ground have prevented a number of hijackings.

We are a great deal better off today than we were a year ago but we must do better. Ground security efforts vary widely among airlines and airports. At some places the effort is exceptionally good; at others, it virtually does not exist. What it comes down to is people -- how committed they are to doing a good job. We can impose a regulation requiring all airlines to screen passengers but you do not get dedication through rule-making procedures.

What we need is a heightened security awareness among all people involved -- from the management and employees of airlines, airport authorities, law enforcement agencies and companies doing business at airports. What we need is a dedication to excellence. Where we have it, we are effective; where we do not, we get hurt.

Unquestionably, the best place to stop hijackings is on the ground. First by creating a security climate that dissuades all but the most determined or foolhardy from attempting a hijacking. Secondly, by creating a maze of security obstacles that prevent a determined or foolhardy person from getting on board an airplane.

Once a hijacker gets on board, the safety of that airplane and the people on it depends upon the wits of the crew and the people supporting them on the ground. It is here -- in the willingness to thwart a hijacking -- that the big turnabout has come in air security.

What distressed Secretary Volpe so greatly in 1969 was the passive attitude of everyone concerned with the hijacking problem. He was certain that many, if not most, hijackings could be stopped if people were on their toes. What he wanted was an attitude of resistance, not recklessness, but a willingness to act if an opportunity arose. We have that attitude today. We are fighting back.

In 1971 airline personnel talked two teenage boys into giving up their guns. A crew member picked up a gun laid down by a hijacker -- and we have had instances in the past where such a simple action was not taken. Two hijackers were shot by FBI agents, one was tackled by an off-duty pilot, another was subdued by a pilot and two sky marshals, one was overpowered by crew members and passengers, and two were arrested upon landing in other countries.

It is fortunate that this change of attitude came when it did for we have had an ominous change in the character of the hijacker. Nearly all of our hijackings through early this year were demands for transportation to Cuba. Over a three-year period we had only two unusual incidents. In one, a gunman ordered a crew to fly due east over the Atlantic, ignoring the crew's pleas that the plane did not have the range to cross the ocean. When the pilot attempted to land, the gunman started shooting. Although wounded fatally, the co-pilot disarmed and subdued the attacker. The pilot, wounded in both arms, landed the plane safely.

In the second incident, a man forced a plane to land in Washington to collect \$100 million he claimed the Government owed him in a tax dispute. The man was given \$100,000 by the airline and the plane, with its passengers as hostages, took off for an unknown destination. When the man discovered he had been shortchanged, he ordered the plane to return for the rest of the money. Authorities on the ground, monitoring the cockpit conversation, felt that if the plane were allowed to take off a second time, the man would destroy it in flight. When the plane landed, the man was rushed and captured but not before he had wounded the pilot.

Two extraordinary incidents in three years. Since May 28 of this year, we have had nine hijacking attempts and six of them fell into the extraordinary category. Three attempts included extortion demands for large sums of money. The destinations were unusual -- the Bahamas, Italy, Israel, Algeria, and North Viet Nam. The reasons for wanting to go there were vague or irrational.

I cannot explain the change in character of our hijackers. Only time will tell us whether the spate of unusual incidents is a short- or long-term phenomenon.

Our Civil Aviation Security Program has shown us what can be done when Government and industry work together in a common cause. It has encouraged us to begin a new effort -- the Cargo Security Program. This fight against thefts of truck, air, rail and ship cargo is going to be waged by Government, carriers, shippers, labor unions and insurers.

Last June and July top people from these groups met in Washington to begin the effort. A distinct impression I gathered from these sessions is that we have grabbed a tiger by the tail and are not really sure just how big that tiger really is. Senator Alan Bible's Committee on Small Business, which has done extensive investigation of this problem, estimates 1970 transportation thefts at \$1.5 billion: \$900 million for trucking; \$250 million for railroads; \$200 million for ships; and \$110 million for airlines.

There was considerable disagreement as to whether these figures were too high or too low but all agreed that losses were substantial and that it is the consumer who ultimately pays the bill in higher costs for goods. Up to now Government and industry have been slow to respond to the challenge. We have glossed over the problem as petty pilferage and simply another cost of doing business.

Well, a lot of it is pilferage but it is done so many times by so many people that it can hardly be called petty. When mobs of 200 to 300 people attack and loot a string of freight cars in a railroad yard, you cannot call it pilferage. And it is not all amateurs. Senate investigators are piecing together the role played by organized crime in the cargo theft problem and what they have found is not pretty -- fear, intimidation, bribery, blackmail, payoffs, threats and vengeance.

Last June Secretary Volpe sponsored a new Federal task force -- the Interagency Committee on Transportation Security. Fully supported by President Nixon and agency heads, this Committee is comprised of representatives from the Departments of Transportation, State, Justice, Treasury, Commerce, Defense and Labor, the United States Postal Service, the General Services and Small Business Administrations, the Interstate Commerce, Federal Maritime, and Atomic Energy Commissions, and the Civil Aeronautics Board.

In like manner, industry has formed an action committee to work with us. This group is made up of carriers, shippers, unions and insurers. As you can see, this is a broad-based effort. There is a real commitment by all concerned to whip this problem. The members of this society, as they function as part of industry management, can make an important contribution to the effort.

To coordinate the new effort, Secretary Volpe has created a new office within the Office of the Assistant Secretary for Safety and Consumer Affairs -- the Office of Transportation Security. This Office, which includes my old Office of Civil Aviation Security, will work on developing effective security for all modes of transportation.

The Department of Transportation is not getting into law enforcement. There are Federal, state and local agencies properly equipped for that job. Our goal is to significantly reduce, or eliminate, cargo thefts through preventive measures. We will provide the leadership. The objectives of the cargo security program are:

- To get timely and accurate data on cargo thefts;
- To get positive accountability for all cargo;
- To develop standards for packaging, including agreements on labels, codes, package advertising, and seals;

- To have insurance available for all cargoes and to have uniform liability based on value;
- To get widespread use of basic physical and procedural security measures;
- To develop procedures for obtaining adequate personnel information without violating individual rights;
- To establish cargo security awareness and programs throughout state and local governments;
- To investigate and prosecute all cargo thefts; and
- To undertake technical development programs.

This is a widespread problem, one that hurts everyone of us. Unless, and until, we make an all-out effort we are not going to be able to cope with the problem. The problem will be solved -- and can only be solved -- at the local level; not by Washington. It will be solved by millions of people on the job.



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WASHINGTON, D.C. 20590

39-104-71

REMARKS BY BENJAMIN O. DAVIS, JR., ASSISTANT SECRETARY OF
TRANSPORTATION FOR SAFETY AND CONSUMER AFFAIRS BEFORE
THE MILITARY SAFETY OFFICERS OF THE INSTITUTE OF AEROSPACE
SAFETY AND MANAGEMENT, UNIVERSITY OF CALIFORNIA
LOS ANGELES, CALIFORNIA, SEPTEMBER 24, 1971

Gentlemen, I want to congratulate you upon the successful completion of your various courses of study. For the past three months you have been honed to the sharpness required for the task your country demands of you. It takes a fine steel to make a keen edge. I compliment each of you on having been selected to attend these courses. Only the best are wanted here; only the best are sent.

The safety officer has not always been selected from among the elite. It has not been so very long ago that safety officers, as a rule, were castoffs -- men who had fallen short in line responsibilities. Safety is no place to mark time towards retirement. Whenever -- and wherever, be it squadron, wing or commercial airline -- a second-rater is made responsible for safety, safety fails and people get killed. A man must be successful on the line if he's ever to be successful in the safety mission. Each of you proved your worth and that's why you are here today.

You leave here to return to your units and I'd like you to take back two bits of advice. First, you must strive to help your unit perform its mission safely but keep foremost in your mind that the mission must be accomplished. You are in a high-risk business and the time may come when those risks must be run.

Second, leave decisions to the unit commander. You may be the most vital man on his staff -- the one whose advice he weighs most carefully -- but he is the one who carries the full responsibility for the unit's effectiveness.

With those two points firmly in mind, your watchword must be to question always. Never assume -- ask. Why? Why not? Can it be done better? Isn't it safer to do it another way?

Keep current -- on your unit's mission, its equipment, its people. Educate yourself on the latest techniques and hardware. Continually review your unit's operations from the viewpoint of safety. The best safety officer spots an accident waiting to happen. Don't let it. The old truism -- "An ounce of prevention is worth a pound of cure" -- is never more true than in safety. It is up to you to manage the risks of your operations in order to attain optimal results. Remember that good security is an essential element in your safety program.

To be effective you must instill a high level of safety motivation throughout the command. Safety is your responsibility but it's everybody's job. It is up to you to develop safety policies and procedures; to get them implemented; to see that people comply with them. If someone goofs off, someone -- and unfortunately not always that same someone -- is going to get hurt.

My experience in the effort to prevent aircraft hijackings illustrates this point very well. The Department of Transportation's Federal Aviation Administration has developed a method for screening passengers preparing to board airliners. The screening procedure involves the application of a behavioral profile, which selects an average of one passenger out of 200 for special attention; weapons detectors; and the presence of law enforcement officers. The system, properly applied, is very effective.

Air carriers in the United States operate about 14,000 scheduled flights everyday. It is very unlikely that any particular flight will be hijacked and, unfortunately, some airlines are content to play these odds. Most carriers, however, have installed the system in varying degrees and with varying success. And the variations are directly related to the motivation of the people involved.

The security director of one of our largest airlines told me that each time that airline had an aircraft hijacked it was because people failed the system; not because the system failed. People in a hurry, bored, or just lazy, took a chance and lost. Since I joined the Department of Transportation's anti-hijacking effort in September 1970 every hijacking, save for a few involving forced entry and a single instance of an Army inductee traveling under government orders, could have been prevented if the screening procedures had been faithfully applied.

How do you motivate people to take a personal stake in the safety of 14,000 flights everyday? How do you get them to keep an alert eye on 170 million passengers a year? If there was a magic answer I'd share it with you for this is the kind of situation you are moving into. You'll suffer disappointments; you'll be frustrated at times. But you'll get a tremendous satisfaction out of doing well a job that is absolutely vital.

I feel very strongly about the mission you have because I am the Department of Transportation's safety officer. Part of my job is to develop and coordinate comprehensive Federal transportation safety policies. The Department of Transportation was created by Congress in October 1966 and opened for business on April 1, 1967. One of the reasons for creating a unified Transportation Department was the obvious and painful lack of a safety policy. Existing programs, developed independently by several agencies, were usually inadequate and sometimes inconsistent.

That there is a strong need for better safety programs is as obvious, and as painful, today as it was in 1966. Last year nearly 60,000 people died in transportation accidents -- 90 per cent of them in highway accidents.

Grade crossing accidents claimed some 1,600 lives, about 64 per cent of all fatalities in railroad operations. And keep in mind here that we add a net 12,000 cars everyday to our roads and have 225,000 grade crossings in the United States, only 20 per cent of which are protected by automatic devices.

Marine accidents took 1,800 lives, about 75 per cent of them involving recreational boating. And pleasure boating is a leisure activity that is becoming increasingly popular every year.

In aviation there is an even greater disparity between deaths in commercial operations and those in recreational flying. In 1970 there were 146 deaths in commercial operations, and only two of those in scheduled air service. In contrast, there were nearly 1,300 deaths in general aviation operations, very few of which involved business aircraft operations. Like boating, flying for fun is booming too.

We have come nearer to a total commitment to safety in air carrier operations than in any other form of transportation. I have found that in trying to motivate people to a high level of awareness in the air security program that we come through loud and clear once people grasp that this is a safety effort and not a law enforcement program. Airline and airport people are not policemen; they are interested in moving people quickly, pleasantly and safely. When they understand that ground security is vital to air safety, their total commitment to safety bears fruit in good security.

The Federal government is gravely concerned with the toll taken by transportation accidents. This concern is reflected by safety legislation sought by Presidents Johnson and Nixon and enacted by Congress with overwhelming majorities. The original highway safety legislation in 1966 -- strengthened several times by succeeding Congresses; the Natural Gas Pipeline Safety Act of 1968; the Railroad Safety Act of 1970 -- the first comprehensive railroad safety legislation in history; the Airport/Airways Development Act of 1970; and the Boating Safety Act of 1971.

Unfortunately, it appears that for most Americans, convenience, comfort, style, status or entertainment are more important values than safety. The success of any safety program is directly proportional to the commitment of individuals. Ours is a government by and for the people and unless we get broad public support for safety programs, we are going nowhere.

The automobile safety belt is an example of government and industry working together to provide very effective safety protection -- protection desperately needed -- only to be insensibly rebuffed by the public. Most automobiles on the highway today were originally equipped with safety belts. Some have had the belts removed by owners who didn't like the clutter. Only about 20 per cent of vehicle occupants use lap belts; a bare 5 per cent bother with shoulder belts.

Recently I visited one of our automobile manufacturers to discuss highway safety problems. The company has accumulated an extensive file of automobile accident investigation reports. In these reports -- gathered by the company, by university study groups, by government agencies -- there is not a single instance of a vehicle occupant wearing lap and shoulder belts being killed when the passenger compartment was not penetrated. Included in the file are many accidents at speeds in excess of 60 and 70 miles per hour and one in excess of 100 miles per hour.

Why do people, at the risk of their lives, choose to ignore the evidence? They give a lot of reasons -- the belts are uncomfortable, they are a nuisance, they wrinkle clothes. I suspect that deep down it is self-delusion, an unwillingness to face the reality that death or injury is that close at hand.

I have habitually worn my seat belt -- probably only because I have been getting in and out of airplanes for 30 years. But, to be honest, until my visit to Detroit -- until I had seen what happens in an accident when a shoulder belt is worn and what happens without it -- I hadn't bothered with the shoulder belt. I use it now.

Your training here at the University of Southern California these past weeks has been oriented toward aviation. Your prime concern is going to be the safe execution of air missions. But you've got to work at the highway problem too. It's not enough to protect the airman or soldier throughout an air mission if you're going to lose him later on the highway. You'll have spared the government the loss of some expensive hardware but your unit will have lost a man -- its most valuable component.

Last month the National Transportation Safety Board reported that 15 to 24-year-old drivers are getting killed all out of proportion to their numbers. In 1969 there were 7,400 more youthful driver deaths than would have occurred if their fatality rate had been the same as that of drivers 25 and over. That 7,400 excess was one-third greater than the combined fatality total in aviation, marine, pipeline, railroad, and grade crossing accidents. It is predominantly the young male that is dying and you have a lot of 18 to 24-year-old men in your commands.

The Safety Board noted that youthful drivers accounted for one-third of all fatal accidents and that many of them had been drinking heavily at the time of their deaths. The young driver faces a double hazard when he drinks -- he is both an inexperienced driver and an inexperienced drinker. You know the problems facing the young serviceman; you've been through it much more recently than I. You have a job of education, a job of motivation; an opportunity to keep those men alive.

It is your job as safety officer to insure that the unit is intact when the mission call comes and that the mission can be carried out.

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40-DOT-71

REMARKS BY BENJAMIN O. DAVIS, JR., ASSISTANT SECRETARY OF TRANSPORTATION FOR SAFETY AND CONSUMER AFFAIRS BEFORE THE POLICE AND SECURITY SECTION, ASSOCIATION OF AMERICAN RAILROADS, ANAHEIM, CALIFORNIA, SEPTEMBER 28, 1971

I am very pleased to be here this morning talking to such a distinguished group of railroad policemen. I recently had an unscheduled opportunity to see a railroad police officer in action. Perhaps the incident is commonplace in your line of work, but I found it extraordinary and I was greatly impressed by this officer's behavior. I was accompanying Penn Central Railroad Police Superintendent James A. Farrell in an automobile tour of the railroad's properties in New York City in the Yankee Stadium area, when we noticed a large group of young men apparently casing a freight yard. Without hesitation, Superintendent Farrell left the car, went into the yard alone and dispersed the gang. His instant reaction was to protect railroad property which he did efficiently and effectively. Unfortunately, the general public is unaware of the problems you face and the dedication with which you approach these problems. Your great record of service has gone largely unsung.

I'm told that the Class I railroads in the United States employ about 4,500 police and other security personnel, at an annual cost of some \$65 million, and that 80 to 85 per cent of this effort is directed toward cargo security. That being the case, I welcome this opportunity to outline for you the new cargo security program being spearheaded by the Department of Transportation.

First off, the Department of Transportation has no intention of getting directly into law enforcement; we are not going to be a new police force. Law enforcement -- arrests, prosecutions, and convictions -- is an essential part of the program but there are already enough Federal, state, and local agencies properly qualified to handle that assignment.

The Department of Transportation's prime goal is to reduce significantly, or eliminate entirely if that's possible, cargo thefts through preventive measures. We will provide the leadership but if the problem is to be solved it must be done at the local level, not from Washington. It will be solved only if millions of workers get involved. And that means everybody, not just security personnel. It means corporate presidents and dock hands; truck drivers and bookkeepers.

The cargo thief hurts all of us because we are all consumers. Included in the price of nearly everything we buy is a surcharge to cover theft losses. There is an unconscious tendency among many people to categorize consumers as a distinct block of people apart from management, labor, or government. We are all in this together -- you and me and everyone else who buys goods shipped on American carriers. We are the ones being hurt; we are the ones paying the bill.

No one knows exactly how great cargo theft losses really are. Senator Alan Bible's Committee on Small Business, which has extensively investigated this problem, estimated 1970 transportation theft losses at \$1.5 billion: \$900 million for trucking; \$250 million for railroads; \$200 million for ships; and \$110 million for airlines. At government-industry meetings held in Washington last June and July, these figures were seriously questioned by people who thought they were too high and, equally questioned, by those who felt they were too low. That theft losses are substantial, all agreed.

To give some perspective to cargo thefts let us take Senator Bible's figure of direct losses amounting to \$1.5 billion. That works out to approximately \$7.50 a year for every man, woman and child in this country. By contrast, Apollo 8 cost each of us \$1.55; Apollo 11 -- \$1.77; and Apollo 15 -- \$2.33. For every dollar spent on space exploration, three dollars are stolen from our pockets. I am proud to participate in an effort which increases mankind's knowledge. I resent having my pocket picked.

Until now neither government nor industry made any meaningful attempt to cope with the problem. Usually we acted as if the problem didn't exist; losses were called "shrinkage." We glossed over the problem by regarding it as petty pilferage -- one of the many costs of operating a business.

A lot of it is pilferage -- an otherwise honest person picking up a little something or other for himself -- but it is done so often by so many people that it can hardly be called petty. As railroad policemen you may be familiar with incidents of 200 to 300 people attacking and looting freight cars in a railroad marshaling yard. There have been times when slow-moving trains have been stopped by uncoupling cars so that looters could get at merchandise. That's not pilferage.

Organized crime plays a major role in transportation thefts -- from systematic short-changing on invoices to hijacking entire shipments. Organized crime is there in all its aspects -- fear, intimidation, bribery, blackmail, payoffs, threats and vengeance.

Concern over the problem increased considerably during the past few years but no substantive moves were being taken to counteract rapidly growing theft losses. President Nixon decided that if the Federal government was to pull itself together some one person would have to be made responsible for the task. The person he designated was Secretary of Transportation John A. Volpe.

Responding immediately, Secretary Volpe, in June, sponsored a new Federal task force -- the Interagency Committee on Transportation Security. Fully supported by President Nixon and agency heads, the Committee is comprised of representatives from the Departments of Transportation, State, Justice, Treasury, Commerce, Defense, and Labor; the United States Postal Service; the General Services and Small Business Administrations; the Interstate Commerce, Federal Maritime and Atomic Energy Commissions; and the Civil Aeronautics Board.

Industry has responded to this initiative by forming a broad-based committee -- a group made up of carriers, shippers, unions, and insurers -- to work with us toward a common goal. I want to stress that both of these committees are action committees, not study groups. There is an important need for more study, for better information, but what we need most of all is action. It is time -- it is long past time -- to do something. Transportation thefts have wiped out businesses and jobs and will continue to do so until we put a stop to them.

The Department of Transportation, working very closely with the Interagency Committee and the Industry Committee, has developed a cargo security program which we feel can get the job done. The objectives of this program are:

- * To get timely and accurate data on cargo thefts;
- * To get positive accountability for all cargo;
- * To develop standards for packaging, including agreements on labels, codes, package advertising, and seals;
- * To have insurance available for all cargoes and to have uniform liability based on value;
- * To get widespread use of basic physical and procedural security measures;
- * To develop procedures for obtaining adequate personnel information without violating individual rights;
- * To establish cargo security awareness and programs throughout state and local governments;
- * To investigate and prosecute all cargo thefts; and
- * To undertake technical development programs.

The responsibility for carrying out each of these program objectives has been assigned to a specific individual best suited for the task. In many instances that person is in the Department of Transportation. But when I found that the person we needed was in another agency, I went after him. I am extremely gratified

by the spirit of cooperation evidenced by agency heads in making available to this effort the talents of top-flight people, people these agencies need to accomplish their own missions. Again, the way to get the job done is to assign the responsibility to a person -- not an agency, a committee, or a company. Everybody must do his part -- but somebody has to be responsible. That's how it is being done at the national level; that's how it must be done locally. That's how we're going to win.

I'd like to close with a few thoughts on railroads. I don't profess to be an expert on railroading, so excuse me if these comments are simplistic. I'm vitally interested in learning and meetings such as this one are of great value to me.

For most of its existence in this country, railroading has taken great pride -- and rightfully so -- in the integrity of the car seal, a simple strip of metal, to protect cargo. Like sealing wax, car seals are good for identification or for detecting tampering. As for security, the car seal keeps out only those who are thoroughly honest.

Some cars are locked with a heavy wire or nail twist which at least requires a thief to come equipped with a bolt cutter. Surely the technology that brought us to the moon can advance us beyond the bent nail.

We have got to come up with an effective lock for box cars. I've heard of the practice of padlocking a car and mailing the key to a railroad policeman on the receiving railroad. That strikes me as a pretty inefficient way of operating. A combination lock might be feasible. The combination could be transmitted to the consignee along with the other information of the shipment.

A number of companies use their own car seals, which bear the company's name. Printing the company name on a car seal must be a form of corporate vanity; in some cases it's only advertising value is in telling thieves the location of high-value cargo.

Yards and freight houses can certainly be better protected but the team track is completely vulnerable. It would be totally infeasible to protect team tracks and yet so many cars are spotted and left unattended on these sidings for days. Something must be done to minimize the length of time cars sit there unprotected. Perhaps the consignee could be spurred into a prompt pickup if liability for the shipment shifted to the consignee after, say, eight daylight hours. In addition to curbing thefts, this might make for increased and more efficient use of freight cars.

Unit trains can be used to avoid theft and vandalism. This is being done to some extent today. For example, unit trains move new automobiles from Detroit to the West Coast, bypassing major urban areas and stopping only to change crews and motive power. Thefts are virtually impossible; vandalism is greatly reduced. The object lesson here is to keep cars moving. The longer they stand in yards or on sidings, the more vulnerable they are.

The Department of Transportation's Federal Railroad Administration is studying ways to promote yard consolidation and through operation. It has also contracted for a study into the human factors element of vandalism. In addition, at our request, the Department of Justice is considering some type of Federal endorsement of railroad police. I know that any information you can provide the Department of Justice on this subject will help the decision process.

It is my fervent hope that my remarks here today will spur you into using your knowledge, experience, and skills to frustrate those who would steal from our railroads.



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45-DOT-71

REMARKS BY BENJAMIN O. DAVIS, JR., ASSISTANT SECRETARY OF TRANSPORTATION FOR SAFETY AND CONSUMER AFFAIRS, BEFORE THE NATIONAL DEFENSE TRANSPORTATION ASSOCIATION, MINNEAPOLIS, OCTOBER 4, 1971

It is a great privilege for me to be pinchhitting this morning for Secretary of Transportation, John A. Volpe. Only an unavoidable conflict prevented his being here today with an organization he regards with both esteem and affection. He asked me to extend to all of you his personal greetings and best wishes for a fruitful session.

When Gerry Collins asked me to substitute for the Secretary, I accepted with pleasure. The National Defense Transportation Association is an organization that has great appeal to me. It is an organization totally dedicated to transportation preparedness. The people of NDTA are busy people; they are vitally involved in the day-to-day operations of their own affairs. And yet they freely and eagerly give of their time, talent and energy for America, the American people and the peoples of the world.

Last August President Nixon asked the American people to take a hand in putting this country's economy back in order; to give to America instead of taking. The men and women of NDTA need no pleas or prods -- they have been giving of themselves for the entire 26 years of this organization's existence.

Tom Goodfellow is an excellent case in point. As Chairman of the Association of American Railroads and as NDTA National President, Tom has more than enough to do and could not have been faulted had he declined Secretary Volpe's invitation to pitch in and help us with TRANSPRO 72. Tom didn't opt out -- he accepted a place on the Secretary's Committee and is working to make TRANSPRO 72 a success. TRANSPRO 72 -- the International Transportation Exposition we are staging next spring at Dulles International Airport -- will give us an opportunity to show the world what America can

do to enhance man's mobility. Undoubtedly, Tom will be coming to many of you for support; I hope you can provide it.

The theme of this conference -- "Facing Global Transportation Challenges" -- is very appropriate for our rapidly shrinking world. The National Defense Transportation Association is an organization that closely mirrors the Department of Transportation. We both have to be ready to meet new challenges and new requirements in our Nation's transportation system growing out of some type of civil or warlike emergency or out of an unforeseen growth requirement. I am sure most of you are familiar with my job and responsibilities as the Assistant Secretary for Safety and Consumer Affairs. I direct the activities of five offices -- the Office of Safety Program Coordination, Office of Hazardous Materials, Office of Pipeline Safety, Office of Consumer Affairs, and the Office of Transportation Security. I want to discuss these responsibilities with you this morning because some of them are so akin to the theme of your meeting and goal of your organization.

I understand your organization was originally formed so that this country would always be prepared to have its transportation systems respond effectively in the event of a national emergency. Believe me, I have continually had a challenge like that since I have joined the Department of Transportation and started to work on the hijacking problem. I am proud to say we have made some real progress in meeting a global challenge to air transportation. We haven't solved it yet, but the Government responded to President Nixon's directive to get the job done with a coordinated, hard-hitting program that has not allowed disasters such as those that occurred in the Middle East to reoccur.

In any discussion of civil aviation security, two dates must be kept in mind -- January 1969 and September 1970. Prior to January 1969, the accepted method of handling a hijacking was totally passive -- take the hijacker where he wanted to go and get the airplane and people back as quickly as possible. In January 1969, John Volpe became Secretary of Transportation and, coincidentally, we had our most active month for hijackings -- thirteen planes diverted to Cuba. Secretary Volpe declared that the Department of Transportation would no longer be passive. He directed the Federal Aviation Administration to find a way to end these dangerous diversions.

In September 1970 Palestinian terrorists hijacked four jetliners -- two U.S., one British and one Swiss. These planes were destroyed on the ground and the people who were on them were in very great peril for their lives for many days. President Nixon -- determined that this would never happen again -- put the full force of the Federal Government behind the air security effort. He created an Interagency Committee on Civil Aviation Security, which I chair, comprised of representatives from the Departments of Transportation, Treasury, Justice, State, and Defense. This is not a study committee; it is an action committee -- it gets things done. President Nixon also ordered into being the force of armed Federal

sky marshals which, I am firmly convinced, has been a definite deterrent to the terrorist-type of hijacking.

We are winning the battle. Potential hijackers are getting the word that it is not easy for them to get on board an airplane and -- should they get on board -- most likely, they will wind up arrested rather than safe in a place of refuge.

Our air security efforts are directed at three areas: deterrence -- keeping potential hijackers off airplanes; control -- thwarting a hijacking attempt; and extradition -- getting hijackers back for prosecution.

On deterrence -- through July hijacking attempts were running at about the same rate as 1970. In August there were no attempts -- the first free month in three years. On September 3, we had another attempt.

On control we have turned the situation around -- thanks to the combined efforts of flight crews, airline management, law officers and a lot of other people. Eleven of the last 14 attempts to hijack U.S. airliners have failed and the would-be hijackers were arrested or, in one instance, killed. In the three years, 1968-70, there were 94 attempts to hijack U.S. airliners and 76 succeeded. Furthermore, nearly all of the failures resulted from the hijacker losing his nerve and not from any attempt to stop him.

On extradition -- 74 nations of the world have signed an international agreement providing for the extradition or prosecution of aircraft hijackers. These nations cover the political spectrum -- Israel and Arab states have signed, communist and non-communist nations, new republics of Africa and old republics of the Americas, Western and Eastern nations.

What we need is a heightened security awareness among all people involved -- from the management and employees of airlines, airport authorities, law enforcement agencies and companies doing business at airports. What we need is a dedication to excellence. Where we have it, we are effective; where we do not, we get hurt.

Hijacking isn't the only new challenge that the Department of Transportation has faced unexpectedly in the last few months. Our Nation's transportation systems were faced with a crisis problem in certain areas involving the safe transporting of cargo. Many of you are probably well aware of how serious the problem was at the New York airports. However, I dare say very few of you are aware that cargo theft from trains has been so severe in some cities in the United States that the railroads were becoming desperate. Within sight of Yankee Stadium in New York City, bands of two to three hundred youths have attacked Penn Central trains. There have been times when slow moving trains have been stopped by uncoupling cars so that looters could get at merchandise. If this problem were to get much worse, it is conceivable that freight train service to New York City would be threatened. Can you imagine the consequences of not having freight trains service the commerce of our largest city?

Organized crime plays a major role in transportation thefts -- from systematic short-changing on invoices to hijacking entire shipments. Organized crime is there in all its aspects -- fear, intimidation, bribery, blackmail, payoffs, threats and vengeance.

Concern over the problem increased considerably during the past few years but no substantive moves were being taken to counteract rapidly growing theft losses. President Nixon decided that if the Federal Government was to pull itself together, some one person would have to be made responsible for the task. The person he designated was Secretary of Transportation, John A. Volpe.

Responding immediately, Secretary Volpe, in June, sponsored a new Federal task force -- the Interagency Committee on Transportation Security. Fully supported by President Nixon and agency heads, the Committee is comprised of representatives from the Departments of Transportation, State, Justice, Treasury, Commerce, Defense and Labor; the United States Postal Service; the General Services and Small Business Administrations; the Interstate Commerce, Federal Maritime and Atomic Energy Commissions; and the Civil Aeronautics Board.

Industry has responded to this initiative by forming a broad-based committee -- a group made up of carriers, shippers, unions, and insurers -- to work with us toward a common goal. I want to stress that both of these committees are action committees, not study groups. There is an important need for more study, for better information, but what we need most is action. It is time -- it is long past time -- to do something. Transportation thefts have wiped out businesses and jobs and will continue to do so until we put a stop to them.

The Department of Transportation, working very closely with the Interagency Committee and the Industry Committee, has developed a cargo security program which we feel can get the job done. The objectives of this program are:

- To get timely and accurate data on cargo thefts;
- To get positive accountability for all cargo;
- To develop standards for packaging, including agreements on labels, codes, package advertising and seals;
- To have insurance available for all cargoes and to have uniform liability based on value;
- To get widespread use of basic physical and procedural security measures;
- To develop procedures for obtaining adequate personnel information without violating individual rights;

- To establish cargo security awareness and programs throughout state and local governments;
- To investigate and prosecute all cargo thefts; and
- To undertake technical development programs.

The responsibility for carrying out each of these program objectives has been assigned to a specific individual best suited for the task. In many instances that person is in the Department of Transportation. But when I found that the person we needed was in another agency, I went after him. I am extremely gratified by the spirit of cooperation evidenced by agency heads in making available to this effort the talents of top-flight people, people these agencies need to accomplish their own missions. Again, the way to get the job done is to assign the responsibility to a person -- not an agency, a committee or a company. Everybody must do his part -- but somebody **has** to be responsible. That's how it is being done at the national level; that's how it must be done locally. That's how we're going to win.

From my remarks this morning, I believe you realize that we have global transportation challenges in the Department of Transportation that need the best of our combined efforts to solve them. Your ideas and solutions are needed, and of equal importance, you can help by setting an example. Efforts in cargo security take their direction from the attitude of management in an organization. I would like every one of you in this room to be more aware of transportation security efforts in your organizations. Criticize the systems you have now. Improve them. Set goals of zero cargo loss. Make sure that your employees are aware of the fact that you won't settle for less than optimum performance. You will be doing a great service to the transportation systems of this Nation by helping them to be more secure. In today's world, the NDTA and DOT must be continually alert to new challenges to our transportation systems -- effective, safe, and secure transportation is essential to this Nation's continued greatness. The challenges are many but the rewards in meeting them spell the word America.

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DEPARTMENT OF TRANSPORTATION

NEWS

OFFICE OF THE SECRETARY

WASHINGTON, D.C. 20590

49-DOT-71

REMARKS BY BENJAMIN O. DAVIS, JR., ASSISTANT SECRETARY FOR SAFETY AND CONSUMER AFFAIRS BEFORE THE ANNUAL MEETING OF THE INDEPENDENT NATURAL GAS ASSOCIATION OF AMERICA, SAN FRANCISCO, CALIFORNIA, OCTOBER 26, 1971

I am delighted to have this opportunity to get better acquainted with you and to share with you some of my thoughts on pipeline safety.

The contributions made by the natural gas industry to our nation's strength and growth have been enormous and are not fully appreciated by the people of this country. The average American knows little about the flow of gas beyond his own street. He has not the vaguest suspicion that when he turns up his thermostat on a chilly October morning that the gas which flames in his furnace may have left a well in Texas five days before. Not understanding that, you can be sure that he has no knowledge of the role natural gas played in the clothes he puts on, the breakfast he eats, his morning paper, or the automobile he drives to work.

The United States is far and away the world's greatest consumer of energy and our gas and liquids pipelines deliver more than two-thirds of this energy demand. Having a responsibility in an industry as important as this one, I want to get to know as much as I can about pipeline operations. Last month I made my first visit to a gas pipeline facility when I had the opportunity to observe some of the operations of the Natural Gas Pipeline Company of America in the Chicago area. Cliff Davis and his people were most gracious hosts and afforded me a very meaningful experience.

The conscientious approach to safety which was evident in Natural's operations I'm told is typical of the industry. Certainly the phenomenal safety record of the high-pressure interstate transmission pipelines supports that testimony.



U.S. INTERNATIONAL TRANSPORTATION EXPOSITION
DULLES INTERNATIONAL AIRPORT * MAY 27-JUNE 4, 1972

Gas pipeline firms, gathering, transmission and distribution, have built and now operate sophisticated systems having a high degree of dependability. The continuity of service speaks for itself. The people in Chicago told me there hasn't been an interruption in their service to local customers since the great fire 100 years ago this month.

The natural gas industry's safety record is impressive but there are problem areas. The records of the Pipeline Safety Office show a total of 1,019 leaks for 1970 and 691 for the first six months of 1971. That doesn't appear to be an alarming number for a million miles of pipeline. But there were 22 deaths and 218 injuries last year and 31 deaths and 243 injuries during the first 6 months of this year. Property damage in 1970 totaled about \$3 million, with an estimated \$1.4 million in damages reported for the first half of 1971.

Most of these leaks and casualties occur in the distribution segment of the industry and your Association is made up primarily of transmission pipeline companies. But their problem involves you as well. To the extent that the economic well-being of interstate transmission companies depends upon gas sold to utilities, the ability of distribution utilities to deliver gas safely to ultimate consumers is the key to continued prosperity for the entire gas industry. Distribution utilities are working diligently to improve their operating experience and must have our total support.

There is a close parallel between the public's attitude toward safety in the gas industry and in commercial aviation. Approximately 170 million passengers are carried on U.S. airliners annually. We have reached this level, and will go beyond it, because the air carrier industry has an outstanding safety record. Many people, for business or personal reasons, must fly because time is a vital factor. But most people have a choice and they won't fly unless the airlines maintain their extraordinary safety record.

It does no good to make a comparison with highway statistics. More than 55,000 people a year get killed in highway accidents and yet we still buy some 10 million automobiles every year. When the average motorist gets into his car he does not -- and perhaps psychologically cannot -- face up to the dangers involved. When an airplane begins its takeoff roll the people on board believe in their mortality and they insist on extremely high odds in their favor.

Customers bringing gas into their homes or businesses also want that kind of assurance. Do you think that the natural gas industry as it is structured today could survive annual death tolls of 55,000 -- or 5,500 for that matter? Obviously you don't and that's the prime reason for your low accident experience. It is not as easy for people to switch fuels as it is to change modes of transportation but most people could do it if they had reason to be concerned.

Pipeline safety has been your concern for as long as you have been in the business of selling gas. Now it is also my concern and I intend to work closely with you to see that gas moves in the safest way possible. My goal is the development and enforcement of safety standards which are adequate, reasonable and just.

It is my responsibility as Assistant Secretary of Transportation for Safety and Consumer Affairs to assure that gas consumers have a safe source of energy and that the people along the rights-of-way are not endangered by the movement of gas. As officers of pipeline companies you have a dual responsibility. First to the people who live, work or just happen to be near where you are moving gas. Their lives are in your hands. Second to the stockholders of your corporations. Unless you deliver your product safely you can be financially hurt by damage actions and, in the extreme, put out of business. Safety is not just good business for the natural gas industry; the business of the gas industry is safety.

The Department's pipeline safety program has focused on three major goals; developing minimum Federal standards; establishing a strong Federal/State partnership; and instituting an effective information program. As we shift into the operational stage emphasis will move to a compliance program which will assure that one set of minimum Federal safety standards are administered uniformly throughout the 50 States.

Our safety standards are performance oriented -- we set a level of safety which an operator must meet. We want to avoid telling him how to do it. It is our expectation that this approach leads to developing improved methods and materials and therefore is a more safety-oriented approach than publishing detailed specifications.

Our policy will be to use these minimum standards as a baseline to determine whether less regulation or more may be required in specific instances.

We found that about one-half of all leaks in gas facilities were caused by corrosion and that existing regulations were not adequate for effective control. So we wrote a completely new set of Federal corrosion regulations.

Accident reports show damage by outside forces as causing more than one-half of all pipeline failures. We are working on several ways to reduce this toll. Obviously it is a problem that won't be easily solved because there are so many different aspects to it; so many things beyond the direct control of the pipeline company. Joe Caldwell plans to discuss this in greater detail at the National Safety Congress tomorrow.

Federal/State cooperation is a most important part of our overall pipeline safety program. Forty-eight states -- and the District of Columbia and Puerto Rico are participating in the program. The two states not participating are Louisiana and New Jersey. Since 1968 legislatures in many states enacted pipeline safety legislation to permit joint action with Federal programs. In fiscal year 1971 Congress made \$500,000 available to assist state pipeline safety programs, and 33 states, plus the District of Columbia and Puerto Rico, participated on a matching fund basis.

Since the Office of Pipeline Safety is a new and developing activity, communications with industry and the public are very important. There are more than 2,000 pipeline operators in the United States who are responsible under the Natural Gas Pipeline Safety Act. We have found that many operators are totally unaware of their responsibilities or not fully informed as to the extent of their responsibilities. Up to now association and trade publications have had to carry the information ball alone. We are grateful for what you have done and hope you will continue to work with us. INGAA has been particularly effective. Your association staff in Washington is in constant touch with the Office of Pipeline Safety and does an excellent job of keeping your members informed.

For our part, a monthly advisory bulletin on pipeline safety was initiated in September. This bulletin will contain

interpretations based on inquiries we get about regulations and will disseminate pertinent information on our pipeline safety programs. The first issue brought in requests for the addition of nearly 500 names to the mailing list so I feel very strongly that this publication can perform a meaningful service.

The pipeline industry will have an excellent opportunity to give the public a better understanding of its role in transportation next spring. The first United States International Transportation Exposition -- Transpo '72 -- will be held at Dulles International Airport from May 27 through June 4. All modes of transportation will be featured and we would like to see a presentation from the pipeline industry. Baxter Goodrich, of Texas Eastern, and Otto Miller, of Standard Oil of California, are on Secretary Volpe's Transpo '72 Committee and I hope you will give them your full support.

The National Archives in Washington bears a prophetic phrase -- "What is past is prologue." The enviable safety record you have established is the foundation of your industry. It is up to all of us to sustain it and improve it wherever possible. As a goal I will set a zero toll for deaths and injuries. It may not be easy but I don't think it is an idealistic goal. Certainly it is what we must work for.

Again, I thank you for the opportunity to participate in your meeting. I look forward to a productive relationship in the responsibilities to the public we share with you.

U. S. DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20590

Statement of Benjamin O. Davis, Jr., Assistant Secretary
For Safety and Consumer Affairs, Before the United States
Senate Committee on Commerce, Subcommittee on Surface
Transportation, regarding amendments to the Natural Gas
Pipeline Safety Act of 1968, November 9, 1971

Mr. Chairman and Members of the Committee:

I am Benjamin Davis, Assistant Secretary for Safety and
Consumer Affairs. I am accompanied by Joseph C. Caldwell,
Acting Director of the Office of Pipeline Safety and
William Broderick of the Department's Office of General Counsel.

We appreciate the opportunity to present the views of the
Department of Transportation on S.980, S.1910 and H.R. 5065,
bills to amend the Natural Gas Pipeline Safety Act of 1968.

Before commenting on the bills, I would like to assure you of
my deep interest and concern for the natural gas pipeline safety
program. Since I assumed office as the Assistant Secretary for
Safety and Consumer Affairs, I have been and am still engaged
in a learning process. I hope you can bear with me in this
regard. I am, however, making a concerted effort to learn all
I can about the pipeline safety program as quickly as possible.
I have reviewed the program thoroughly and am now evaluating
its current thrust. I have already visited the Houston field
office of the Office of Pipeline Safety, and interstate
transmission and intrastate pipeline facilities in the Chicago
Illinois, Metropolitan area. I am planning other field trips
to become acquainted with the operational procedures of the
gas industry, the nature of safety problems, and the means by
which the Department can respond more effectively to safety
needs.

When the Acting Director of the Office of Pipeline Safety,
appeared before you in July 1969, you raised certain questions
concerning the program. I would like to review for you some
developments concerning key questions you raised. One question
concerned the lack of a full-time director for the Office of
Pipeline Safety. I agree with you that we need a full-time
director and I wish to assure you that since I have taken office

I have made an intensive effort to find and select a well-qualified person for this position. As a result, the Department now has some excellent candidates under active consideration and I will do everything I can to have the position filled in the very near future.

You also expressed concern about the lack of public representation on the Technical Pipeline Safety Standards Committee. I wish to assure you that I too am concerned that the public is adequately represented. Two of the public member terms expire next month. In filling the two positions, we are taking full cognizance of your concern and interest in this area.

You also inquired about the relationship of the liquid pipeline safety program to the gas pipeline safety program. My testimony includes a recommendation that your Committee amend the DOT Act to permit consolidation of these functions in the Office of the Secretary.

I believe other questions raised by you during the July 9, 1969, hearings are generally covered in my testimony today. However, if they are not covered to your satisfaction, I will be happy to try and answer any further questions you may have. With your permission, I would like now to proceed to the discussion of the pending bills to amend the Natural Gas Pipeline Safety Act.

Since S.980 and H.R.5065 as introduced were companion bills, I would like to discuss them separately from S.1910.

As originally introduced, Section 1 of H.R. 5065 and S.980 would have deleted from Section 5(a) of the Natural Gas Pipeline Safety Act the words "two years" and substituted the words "three years". Section 2 would have amended Section 15 of the Act to authorize the appropriation of funds to carry out the purposes of the Act without limitations as to amount for any fiscal year.

As H.R. 5065 passed the House of Representatives and is now before this Committee, it contains three sections. Section 1 would amend Section 5(a) of the Natural Gas Pipeline Safety Act by deleting the words "two years" and substituting the words "four years". Section 2 would amend the first sentence of Section 5(c)(1) of the Act to make mandatory payment of funds appropriated for Federal assistance. Section 3 would authorize

appropriations of \$3,000,000 for FY 1972; \$3,800,000 for FY 1973; and \$5,000,000 for FY 1974 to administer the gas pipeline safety program.

Let me provide some background information concerning the proposal to amend Section 5(a) of the Act. That section provides for State agency participation in the administration of the Act with respect to intrastate gas facilities whenever the State agency submits to the Secretary of Transportation an annual certificate that such agency has complied with certain statutory requirements. One of these requirements is that the State certify that its law provides for enforcing safety standards by way of injunctive and monetary sanctions substantially the same as the Natural Gas Pipeline Safety Act. The section also provides that a State agency may file a certificate without regard to the requirement of such sanctions under State law for a period not to exceed two years after the date of the enactment of the Act (i.e., until August 12, 1970).

Because a number of States did not have adequate statutes on this subject last year, the Department proposed an amendment extending the time to meet this requirement by an additional year (i.e., to August 12, 1971).

When the one-year extension was requested, it appeared that State agencies might be able to obtain enactment of needed legislation during the general sessions of their legislatures in 1971. Our view was based on the substantial progress that had been made by State legislatures after August 12, 1968, when the Natural Gas Pipeline Safety Act became law. On that date only Missouri and New York had laws relating to monetary sanctions which were substantially the same as the Federal law. In 1969, 20 additional States enacted appropriate laws on this subject and in 1970 an additional 12 States made similar amendments. Since the legislatures of almost all States were to be in general session during 1971, it appeared that the States needing amended legislation might obtain its enactment in legislative sessions this year.

Some of the States were able to do so. The result is that as of November 1, 1971, 40 States plus the District of Columbia and Puerto Rico, have provisions substantially the same as the Federal law and 10 States do not. Nine of the 10 States still need amendatory legislation. The Ohio statute is now being studied by the legal counsel of the Public Utilities Commission.

It is now clear that in a few States which need amendatory legislation, the legislatures will not again be in general session until 1973. This, for example, is the situation in Minnesota. It also will apply to Ohio if the current legal review should indicate that the present statute needs amendment. In light of this new information, the Department recommends that Section 5(a) of the Act be amended by deleting the words "two years" and by substituting the words "five years". This additional time will make it possible for the few remaining States that need statutory changes to be eligible to submit certifications under Section 5(a) until August 12, 1973. It is believed this extension of time is sufficient to enable these few States to obtain enactment of appropriate State laws.

As already indicated, Section 2 of H.R. 5065 would amend Section 5(c)(1) of the Act. According to the report of the Committee on Interstate and Foreign Commerce, House of Representatives, recommending enactment of this bill (House Report No. 92-257) the stated purpose of this amendment is to make it mandatory for the Secretary of Transportation to pay Federal assistance funds to the States rather than merely authorizing that such payments be made. The report states "The purpose of the amendment is to make clear the Congressional intent that funds appropriated by the Congress for the purpose of inducing the States to enforce Federally established natural gas pipeline safety standards should be expended for that purpose. If these funds are not so expended, the Federal/State program contemplated by the Natural Gas Pipeline Safety Act of 1968 is likely to collapse."

The Department does not favor this amendment because we believe it will inhibit administrative discretion and possibly lead to the indiscriminate payment of Federal funds and the resulting waste. We would prefer to have some discretion as to when and under what conditions the Federal funds may best be utilized.

Section 3 of H.R. 5065 would amend Section 15 of the Act by authorizing appropriations of \$3,000,000 for FY 1972, \$3,800,000 for FY 1973, and \$5,000,000 for FY 1974. Although the Department recommended a continuing authorization for appropriations without a ceiling that might be appropriated for any fiscal year, it does not object to such ceilings if the Congress considers more desirable this method of funding.

As indicated in our letter of March 24, 1971, to you, and again in our letter of August 4, 1971, submitting our views on H.R. 5065, the Department respectfully urges your Committee to add an amendment to your bill to transfer the decision

making authority for liquid pipeline safety matters from the Federal Railroad Administrator to the Secretary.

You may recall that the Department of Transportation Act of 1966 transferred the liquid pipeline safety function from the Interstate Commerce Commission to the newly created Department of Transportation, and statutorily delegated that function to the Federal Railroad Administrator where it is now located. The Natural Gas Pipeline Safety Act of 1968 vested safety jurisdiction over gas pipeline facilities in the Secretary of Transportation. In administering these programs, the Department has learned that the technical aspects of liquid pipeline safety are substantially the same as the technical aspects of gas pipeline safety. In actual practice, the Office of Pipeline Safety acts for the entire technical staff for the Federal Railroad Administration on liquid pipeline safety matters. Consolidation of the gas and liquid pipeline safety functions in the Office of the Secretary would increase the efficiency and promote the economy of the Department's performance in these areas of responsibility. The Department would like to transfer the liquid pipeline safety function to the Office of the Secretary so that function can be combined with gas pipeline safety functions in the existing Office of Pipeline Safety. Under the Department of Transportation Act, the transfer of the liquid pipeline safety function out of the Federal Railroad Administration requires approval of the Congress. On March 21, 1971, the Department transmitted a letter to the Committee Chairman, Mr. Magnuson, urging this amendment, and enclosing language which would accomplish this purpose.

S.1910 would amend the Natural Gas Pipeline Safety Act by (1) permitting a State agency to submit a Section 5(a) certification when enforcement of monetary sanction is carried out either by a State or a State court; (2) proposing yearly apportionment of Federal assistance funds to the States under a fiscal arrangement known as "contract authority"; (3) authorizing a minimum annual payment of \$20,000 to the national organization of State commissions to advance State agency safety programs; and (4) authorizing Federal assistance to States that serve as agents of the Secretary to aid in enforcement of Federal safety standards applicable to interstate transmission facilities.

The Department believes that an administrative civil penalty that does not resort to the courts except for collection is a far more flexible and useful enforcement tool. The door should not be opened to such an alternative method of enforcement by our already overloaded courts. The remarkable record of State legislation, conforming with the Federal statutory

provisions, already enacted since the Natural Gas Pipeline Safety Act became law, is ample evidence that a great majority of the States share these views. We do not recommend this proposal in S.1910. We also do not favor the proposal for yearly apportionment of Federal assistance funds under contract authority. This type of arrangement is appropriate only for established assistance programs. It should be considered here only when both the Federal and State pipeline safety programs are more fully developed and have reached a more predictable level of funding and personnel. Until that time the Secretary should retain much more latitude in disbursing these funds than would be permitted under contract authority. Further, the proposed subparagraphs (4) and (5) overlap and are somewhat inconsistent with the provisions governing payment that are already contained in Section 5(c). Likewise, we do not favor the proposal to make a payment of not less than \$20,000 annually to the national organization of State commissions. This proposal was reviewed by the Congress during its consideration of the 1968 Act and was rejected. Most of the activities that would have been funded by this payment are now being carried out by OPS. Thus, the Department has no basis to justify a change in that legislative decision.

The Department does not object to the proposal to amend Section 5(c)(1) of the Act to permit Federal reimbursement of up to 50 percent of any costs incurred by a State while serving as an agent of the Secretary with respect to interstate transmission facilities. We regard this agency agreement as a temporary arrangement until such time as the Department is adequately staffed to undertake this responsibility. Meanwhile, we believe that a State agency should not be required to bear this financial burden alone. Section 5(c)(1) of the Act already authorizes Federal assistance to State agencies and some funds are being appropriated for this purpose. If the Congress should enact this amendment, we would include the Federal share of the costs involved in this agency relationship within the amounts being made available for Federal financial assistance to the States.

Based upon information informally received from the States that are presently serving as our agents, this activity is estimated to cost about \$75,000 during 1971. The proposed amendment would permit Federal assistance up to 50 percent of such costs as incurred in 1973 and future years.

Summary of Program Development

In addition to the Department's views on these bills, I would like with your permission, to give you a brief overview of the

status of the natural gas pipeline safety program.

At the present time, 50 State agencies including Puerto Rico and the District of Columbia are cooperating with the Department under Section 5 of the Act. Only Louisiana and New Jersey are not participating. Thirty-seven State agencies are cooperating under Section 5(a) certifications; and thirteen are cooperating under Section 5(b) agreements. Twenty-one State agencies continue to serve as agents of the Secretary with respect to interstate transmission lines.

We realize it takes time to get money and personnel for these activities. Some States have large, efficient staffs while others are still trying to get their programs off the ground. The Department's overall approach in this program is to assist each State as much as possible with its individual problems. This assistance takes the form of advice on legislative matters, administrative procedures, and personnel qualifications, as well as training and technical information. The Office of Pipeline Safety also serves as a clearinghouse for information on pipeline safety regulatory matters among the States. In addition, we are preparing technical manuals for use by the State agency staffs in evaluating and monitoring the safety of gas pipelines. We are also developing a training course on monitoring pipeline operations for State personnel.

In appropriating \$500,000 in Federal assistance funds for FY 1971, the Congress enabled the Department to give impetus to the Federal/State cooperation contemplated under the Act. Initially 43 States expressed interest in receiving Federal financial assistance but eight of them did not apply for varying reasons. The funds were allotted to 35 applicant States in June this year. We plan to reimburse them early next year for the Federal share of their 1971 program costs.

With the appropriation of \$750,000 Federal financial assistance for FY 1972, the Department has received applications from 41 States, including the District of Columbia and Puerto Rico. The applications are being processed and we expect to obligate the funds within the next few days. Of the remaining States, nine did not request Federal funds and two --Louisiana and New Jersey-- are not eligible to receive funds.

In administering the Act, we have leaned heavily on the Technical Pipeline Safety Standards Committee, established pursuant to the Act, for assistance. Since its establishment in January 1969, ten meetings have been held. We have found this Committee to be one of the most valuable features of the

Act. We shall continue to draw on this body of experts for advice and recommendations.

The Office of Pipeline Safety now has a total of 29 positions. Twenty-three of these positions are filled, with two others committed but being held up due to a DOT freeze on hiring. We are recruiting to fill the remaining four and will fill them as soon as possible. In November 1970 we established a pilot field office with three positions in Houston, Texas. There are plans to establish four additional field offices in other parts of the country when resources are available.

Aside from our State relationship described above, the two most important accomplishments since our last appearance before this Committee have been:

- (1) Placing in effect the Federal Safety Standards and
- (2) The establishment of a leak and test failure reporting system that became effective February 9, 1970. This system requires certain operators to report certain leaks or failures and all operators to report annually on their overall operating experience. This information will enable us to detect problem areas that need attention and evaluate the effectiveness of all aspects of our regulatory program.

Information obtained for individual leaks from the OPS leak and test failure reporting requirement in Part 191 of DOT Regulations has confirmed two areas needing immediate attention. The two main causes of leaks are damage by outside forces and corrosion. We have taken or are taking steps to reduce these incidents in each case.

Outside damage accounted for approximately 63% of the individual leaks reported to the OPS. We are developing more comprehensive regulations for the marking and identification of pipelines. We also have drafted a model statute for passage by State and local regulatory authorities to require certain actions on the part of utility operators and parties having the need to dig or excavate in the vicinity of underground utilities. We plan to solicit the support of all private and Government groups and organizations associated with or involved in the operations or control over utilities.

Corrosion accounted for approximately 15% of the individual leaks reported to OPS. We now have in effect a complete new set of corrosion regulations that should reduce this problem.

We are also fostering the development of specialized equipment that can be used to determine the condition of certain types of distribution pipelines that have been affected by corrosion.

Our regulatory program may be described as having three distinct segments:

- (1) To develop and publish Federal safety standards.
- (2) To inform and educate all concerned parties about what is and will be involved in this program.
- (3) To monitor gas pipeline operators for compliance in conjunction with State agencies.

We are now evaluating the Federal Safety Standards to determine areas in which they may be strengthened or improved.

The second segment, communication with those involved in the program, has been implemented. During 1970 the OPS staff participated in some 55 meetings, talking to over 7,500 State, industry, union and other interested parties. Recently we began publication of a monthly advisory bulletin for dissemination of information to all interested parties.

The third segment has been implemented on a limited basis both in the field and from our Headquarters office. Last year we established a pilot field office in Houston, Texas. That office is staffed by two technical men who cover the States of Arkansas, Louisiana, New Mexico, Oklahoma and Texas. In four of these States our staff is monitoring the State agency activities with respect to State agency cooperation under the Act. Similar monitoring visits have been initiated in other States by our Headquarters office personnel.

Since Louisiana does not have a State agency cooperating with the Department, all gas facilities in that State are under our direct safety jurisdiction. Our Houston office has been visiting a number of small operators in that State to explain the purpose of the Natural Gas Pipeline Safety Act, to identify the Federal safety standards, and to point out the requirements for operator compliance with those standards.

In closing, I wish to express the appreciation of the Department for the opportunity of presenting our views on the bills your Committee is considering; and on summarizing gas pipeline safety program developments for you. If there are any questions, I will gladly try to answer them. Thank you, Mr. Chairman.



DEPARTMENT OF TRANSPORTATION

NEWS

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REMARKS BY BENJAMIN O. DAVIS, JR., ASSISTANT SECRETARY FOR SAFETY AND CONSUMER AFFAIRS, AT THE ALCOHOL COUNTERMEASURES PUBLIC INFORMATION SEMINAR, UNIVERSITY OF MICHIGAN, ANN ARBOR, MICHIGAN, NOVEMBER 16, 1971

Secretary Volpe has asked me to extend to you his apologies for having to cancel his talk here this morning. The Secretary is totally committed to the alcoholic countermeasures program -- he realizes the potential for saving thousands of lives and avoiding inestimable economic loss -- and he is very disappointed at not being able to be here. However, he must be in Washington today to testify at a Congressional hearing which he simply could not postpone.

The United States today is confronted with many problems -- the war in Viet Nam, the economy, welfare, and drug abuse are but a few. But none is more destructive to our national well-being than the appalling carnage on our highways. Nearly 60,000 people were killed in transportation accidents last year -- 90 percent of them in highway accidents. If we were to maintain the increasing highway death rate of the Sixties throughout the Seventies, by 1980 we would be killing almost 110,000 people a year in automotive accidents.

No nation is so rich that it can afford to squander its most valuable assets -- the talents and productivity of its citizens -- in such senseless slaughter. Gone beyond recall are the contributions highway victims could have made to world peace and prosperity. The mind is numbed by the waste.

A particularly tragic aspect to this problem is that so many of those killed are our young people between the ages of 15 and 30. There is widespread concern about American deaths in Viet Nam. No matter what our personal feelings are on the U.S. commitment in Southeast Asia, the harsh truth is that a single year's toll of highway deaths exceeds the total U.S. deaths for the Viet Nam war. Some 40,000 Americans irretrievably lost their lives in Viet Nam in the past 10 years. Over that same period more than 500,000 Americans just a irretrievably lost their lives on our highways. And there are no "shorts" on the highway; no counting the days until the risk of sudden death is gone.

Where are the mass demonstrations protesting automotive slaughter? Where are the pickets? Why aren't concerned citizens burning driver permits? Are we insensitive to the danger? Are we immobilized by a feeling that the problem is too big to cope with? Obviously none of us would be here today unless we believed something could be done. It is up to all of us to convey this measure of hope to the rest of the country.

I know how concerned Secretary Volpe is about the highway toll and he is making a concerted effort on all fronts -- drivers, vehicles, roads -- to roll it back. In 1970 the toll did drop by 3,000 from the 56,000 deaths in 1969. On the basis of prior years, 1970's toll should have been between 58,000 and 59,000.

There is an opportunity to make a tremendous reduction in highway deaths by eliminating the drunk driver and that's why we're here today. Our records tell us that more than 50 percent of all highway fatalities are caused by drunk drivers. That's about 27,000 people a year, most of whom are innocent people who unfortunately happened to be in the way of a rip-roaring drunk. I'm sure all of you have seen pictures of weeping drunks who somehow survived accidents which wiped out whole families in other cars.

There is an urgent need to inform the public of the facts on alcohol-related accidents and on the measures for preventing them. We must develop effective means for bringing this information to their attention.

We in the Federal Government are, as you know, now initiating a major campaign to minimize this great highway danger and this campaign is of direct concern to this conference. We shall be working with state governments, local municipalities and with any organization who wants to join in. Our objective is to keep the problem drinker from behind the wheel of an automobile, until his drinking-driving problem has been reduced. This is the single most important highway safety issue today.

Our attack will take three forms. We shall, first, identify and isolate the problem drinker. We know whom we are looking for. We can find him on the highways through breath tests and video tape records. We can find him in the police files, in driver licensing records and in the reports of social agencies. His profile is clear and unmistakable. He is, first of all, a man who drinks to excess. If arrested his blood alcohol concentration is well above the legal maximum of .10%. Let me emphasize that this legal maximum represents a tremendous amount of drinking. It means a 160-pound man would have to drink 7-1/2 ounces of 86 proof whiskey in one hour.

This excessive drinking is the first sign indicating our potential highway killer. The second clue is a previous record of difficulty involving alcohol. Our dangerous drunken driver has at some time in the past had employment or family troubles because of excess drinking.

Here then is the man who will arrive early for an appointment with death. Put him behind the wheel of a car and the biggest accident that will befall him will be to arrive at his destination without a collision of some kind. He must, therefore, be separated from his automobile.

I'd like to emphasize right here that the first beneficiary of this action will be the problem drinker himself. He is, in truth, his own worst enemy.

When an individual's blood alcohol concentration climbs above the .10% figure, his chances of being involved in an accident are 7-1/2 times higher than normal. At .15% blood alcohol concentration, the risk is 27 times higher than normal. Above this level, the risk of a fatal accident is 50 times greater than normal -- 50 times. Yet many of these problem drinkers reach and even exceed that .15% level! Of drinking drivers killed in automobile accidents, more than half are above this extraordinary high .15% level. Ladies and gentlemen, this must stop.

I also want to point out that I have during these remarks been referring only to fatal accidents. It is only in fatal accidents that we have the firm hard figures that connect them to excessive drinking. It is reasonable to assume that these abusive drinkers are also involved in a high percentage of non-fatal accidents. Estimates say the total would run as high as 800,000 out of a total two million crashes. How many people involved in these non-fatal accidents were seriously injured? We don't know. What is the total economic loss from accidents involving excessive drinkers? We don't know. We can assume, however, that the figures are astronomical.

We know, thus, that in our alcohol countermeasures campaign there are tremendously high stakes involved.

The final part of our program is to bring this identified and isolated drinker into an action program designed to help him with his alcohol problem. At the same time, his driving must be supervised until there is evidence that his drinking-driving problem has been reduced.

I can dramatize the size of the total challenge involved here by noting that there are an estimated seven million of these abusive drinkers driving on our highways today.

While this is a federally sponsored program -- involving both our Department of Transportation and the Department of Health, Education and Welfare, the success of this program will depend on the local authorities who put it to work.

We in the Federal Government, consequently, are sponsoring a number of secondary programs designed to assist these local officers. We are providing studies and techniques for carrying out the countermeasure program at municipal levels. We are conducting 35 Alcohol Safety Action Projects to show how these programs work and the benefits that may be realized. We are also providing Government funds to enable local authorities to hire new people and purchase additional equipment. And we are, finally, inaugurating a fourth program -- the National Public Education Program -- a program which I feel is the keystone of our whole countermeasures effort. This program of public information is the heart of your discussions here this week. It is designed to gain support for all the local agencies involved in the alcohol safety problem. Through this education program we want public support for the police, the courts, the licensing agencies, the alcoholism treatment agencies, driver education facilities and all other groups involved.

The essence of our message will be the themes I have mentioned here today.

1. There is a particular type of abusive drinker who, when he drives, becomes a very dangerous safety hazard to himself and others.
2. This safety hazard can be identified and isolated in advance of an accident. In other words, we now have the knowledge to prevent certain very tragic accidents before they occur.
3. This excessive drinker must be supervised until his drinking-driving problem has been reduced.

4. A successful program along these lines will save thousands and thousands of lives every year, plus hundreds of thousands of injuries and inestimable millions of dollars of economic loss.

This is our message. We want it printed in every magazine and newspaper. We want it broadcast and televised over every radio and television station in the country. We want it known and understood by every citizen old enough to comprehend.

The widespread public understanding we seek will require Government, private industry and volunteer groups to bring about a degree of coordination in information campaigns far beyond anything we have been able to achieve so far. We must have this unity and this University of Michigan conference is the best way I know to give us a start. Here we can discuss presentation techniques; here we can share our planning; here we can agree on a common message that will help dispel public confusion. If the facts are known I am convinced we shall have little difficulty in gaining the public support we so desperately need.

I have good reason for my optimism. Our program is already underway and we have achieved some early success. Let me tick off some scores:

Denver: Driving while intoxicated arrests up 300%; highway fatalities down 25%.

Seattle: Driving under the influence arrests up 250%.

Portland, Oregon: Driving under the influence arrests up 100%; highway fatalities down 40%.

Albuquerque: Driving while intoxicated arrests up 100% in the city; up 200% in surrounding Bernalillo County.

These are just a few samples of what is being done and what will be done in the future.

The steady growth in highway traffic insures that alcohol related accidents will -- if we do nothing -- increase tremendously. The highway traffic growth figures are staggering. The number of automotive vehicles on our highways increase by about 12,000 a day. The number of licensed drivers is increasing by about 10,000 a day -- or about 3-1/2 million per year. This growth gives urgency to our cause.

There are a couple of observations I want to make about this alcohol problem. I know this tragedy can strike anywhere. The abusive drinker is not necessarily a bum or a derelict. He may well be one of the keenest legal minds in practice; or a very capable doctor; or a brilliantly creative artist. We are dealing with a sickness that strikes all manner of men -- including the best.

Indeed, the best may be more prone. There is a quotation on this point which goes:

"If we take habitual drunkards as a class, their heads and their hearts will bear an advantageous comparison with those of any other class. There seems ever to have been a proneness in the brilliant and warm-blooded to fall into this vice. The demon of intemperance ever seems to have delighted in sucking the blood of genius and generosity."

The writer was Abraham Lincoln. The statement is still valid.

While we must appreciate that excessive drinking is a sickness, the minute the problem drinker climbs behind the wheel of his car he puts himself into another category. By turning on the ignition he becomes a criminal; a potential killer and maimer.

I also want to note that since the abusive driver is different from the rest of us, a different logic must prevail. This man has a terrifying compulsion for alcohol. Left alone, he must drink. And left alone he must drink himself into intoxication. Driving a motor vehicle in this condition -- as he almost invariably will -- he courts death, injury and economic disaster. The greatest injustice we can show him, consequently, is to permit him to continue to operate his vehicle. To do so only increases the probability of violent death.

Revoking the permit of an alcoholic driver, on the other hand, may be neither penalty nor punishment. Depriving him of his privilege to operate a motor vehicle until his problem is solved may be true justice. It may well also be the kindest charity we can show him.

I believe we should make every effort to work closely together so that we may realize the greatest possible benefits from the resources we are devoting to these programs. I encourage all of you as active participants to make every effort to develop this close association, to disseminate information on your programs to others with a mutual interest and, finally, to develop a mutual approach to awakening the public to the significance of alcohol in highway accidents.

Through your efforts we will begin to see a significant improvement in highway safety and a substantial decline in the tragic losses we are now experiencing. Be assured that you have the complete support of Secretary Volpe and myself.

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