

meu ~~Proprietary~~
REMARKS BY JOHN E. ROBSON, GENERAL COUNSEL, U.S. DEPARTMENT OF TRANSPORTATION
PREPARED FOR DELIVERY AT THE SPRING SEMINAR OF THE RAILROAD TRANSPORTATION
INSTITUTE, ATLANTA AMERICAN MOTOR HOTEL, ATLANTA, GEORGIA, THURSDAY,
MARCH 30, 1967, 9:30 A.M.

I AM DELIGHTED TO BE HERE. IT GIVES ME THE CHANCE, FOR ONE THING, TO MEET AND TALK WITH MEN WHO KNOW A GREAT DEAL, NOT ONLY ABOUT ONE OF OUR FOREMOST TRANSPORTATION INDUSTRIES -- THE RAILROADS -- BUT ABOUT THE ENTIRE RANGE OF TRANSPORTATION ACTIVITIES. AND IT GIVES ME THE CHANCE AS WELL TO VISIT, AT THE START OF PERHAPS ITS MOST SPLENDID SEASON, THIS ALWAYS BUSTLING, YET ALWAYS BEAUTIFUL, CITY.

I MUST SAY THAT I BECAME CONSIDERABLY MORE OPTIMISTIC ABOUT THE PROSPECTS FOR GREATER INTER-MODAL UNDERSTANDING WHEN I LEARNED THAT THIS DISTINGUISHED RAILROAD ORGANIZATION HAD SCHEDULED AN IMPORTANT CONFERENCE AT A MOTOR HOTEL.

HOWEVER, THE FACT THAT WE MEET IN THIS HOTEL AND THIS CITY IS RELEVANT TO MY TOPIC. FOR ATLANTA RANKS AMONG THE LEADING MOTOR HOTEL CITIES IN THE NATION. AND THE NATIONAL EMERGENCE -- "EXPLOSION" IS PROBABLY MORE ACCURATE -- OF THE MOTOR HOTEL IN THE POSTWAR DECADES IS BUT ONE EXAMPLE OF HOW PROFOUNDLY THE TRANSPORTATION REVOLUTION HAS INFLUENCED OUR ENTIRE WAY OF LIFE.

INDEED, YOUR ARRAY OF TOPICS FOR THIS SEMINAR IS IMPRESSIVE EVIDENCE OF THE EXTENT TO WHICH YOUR INTERESTS RANGE BEYOND PURELY RAILROAD MATTERS TO ENCOMPASS SOME OF THE CRUCIAL CONCERNS COMMON TO EVERY MODE OF TRANSPORTATION. IT IS EVIDENCE ALSO OF HOW RAPIDLY AND HOW RADICALLY IN RECENT YEARS WE HAVE ALTERED OUR APPROACH TOWARD TRANSPORTATION -- OF HOW ACUTELY AWARE WE HAVE BECOME THAT, NEITHER AT THE PUBLIC NOR THE PRIVATE LEVEL,

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CAN WE FULLY SERVE THE INTERESTS OF THE INDIVIDUAL TRANSPORTATION INDUSTRIES OR OF THE NATION BY CONTINUING TO FOLLOW THE FRAGMENTED POLICIES OF THE PAST.

WE HAVE ALL HEARD, AD NAUSEAM, THAT OURS IS AN AGE OF INCESSANT CHANGE. BUT WE DO NOT SO OFTEN HEAR -- AND WE SO OFTEN FORGET -- THAT IT IS MUCH MORE THAN THAT. IT IS AN AGE OF ACCELERATING CHANGE -- AN AGE OF PROFLERATING CHANGE -- AN AGE IN WHICH EACH CHANGE IS OFTEN MORE SWIFT AND SUDDEN THAN THE LAST.

THE LATE PRESIDENTIAL SCIENCE ADVISOR JEROME WEISNER ONCE OBSERVED OF MODERN TECHNOLOGY THAT "EVERY APPARATUS, EVERY METHOD IS OBSOLETE BY THE TIME IT IS USED. TECHNIQUES ARE DEVELOPING SO RAPIDLY THAT WE CANNOT, UNLESS WE ARE GOING TO HAVE A LARGE PERIOD OF CHAOS, ALLOW OUR THINKING TO LAG BEHIND THE TECHNIQUES AND THE POSSIBLE MODES OF DEVELOPMENT." WHAT IS TRUE OF TECHNOLOGICAL EVENTS IS EQUIALLY TRUE OF HUMAN AFFAIRS IN GENERAL -- AND OF THE FIELD OF TRANSPORTATION IN PARTICULAR.

WE ARE ONLY BEGINNING TO ADEQUATELY ADAPT OUR THINKING, OUR ATTITUDE AND OUR APPROACH TO THE VAST CHANGES -- IN TECHNOLOGY, IN SCALE AND IN SIGNIFICANCE -- WHICH ARE UNDERWAY IN TRANSPORTATION. BUT WE ARE BEGINNING. AND THE NEW DEPARTMENT OF TRANSPORTATION IS ABUNDANT EVIDENCE OF OUR DETERMINATION TO ENLIST ALL OF OUR RELEVANT NATIONAL RESOURCES -- PUBLIC AND PRIVATE -- TOWARD INSURING A NATIONAL TRANSPORTATION SYSTEM EQUAL TO OUR IMMENSE AND EXPANDING NEEDS.

THIS SATURDAY, APRIL 1, THE NEW DEPARTMENT WILL OFFICIALLY BECOME A GOING CONCERN. IT WILL BRING TOGETHER MANY DIFFERENT TRANSPORTATION - PROGRAMS THAT HAVE IN THE PAST BEEN SCATTERED THROUGHOUT THE FEDERAL

GOVERNMENT -- WITH SEVERAL SIGNIFICANT EXCEPTIONS -- WILL JOIN FORCES IN A SINGLE, CONVERGED TRANSPORTATION EFFORT.

I MIGHT TOUCH BRIEFLY ON SOME OF THE MORE SIGNIFICANT TRANSFERS TO THE NEW DEPARTMENT:

1. THE FEDERAL AVIATION AGENCY. IT HAS BROAD RESPONSIBILITIES FOR OVERSEEING OUR AIR COMMERCE -- ENCOURAGING ITS DEVELOPMENT, INSURING ITS SAFETY, AND ASSISTING IN THE IMPROVEMENT, INSTALLATION AND OPERATION OF ITS FACILITIES.
2. THE BUREAU OF PUBLIC ROADS, WHICH IS CHARGED WITH THE OVERALL SUPERVISION OF OUR FEDERAL AND FEDERAL-AID HIGHWAY PROGRAMS, IN COOPERATION WITH OTHER FEDERAL AGENCIES AND THE STATES.
3. THE UNITED STATES COAST GUARD -- THE NATION'S OLDEST SEA-GOING SERVICE -- WHOSE PRIMARY MISSION IS TO INSURE THE SAFETY AND SECURITY OF OUR SHORES, OUR WATERWAYS AND OUR SEAS.
4. THE ALASKA RAILROAD, PREVIOUSLY OPERATED IN THE DEPARTMENT OF THE INTERIOR.
5. THE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION, WHICH IS RESPONSIBLE FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF A DEEPWATER NAVIGATION WORKS IN THE INTERNATIONAL RAPIDS SECTION OF THE ST. LAWRENCE RIVER. THE CORPORATION IS SELF SUPPORTING THROUGH TOLLS ASSESSED SHIPPERS USING THE SEAWAY FACILITIES.
6. THE OFFICE OF HIGH-SPEED GROUND TRANSPORTATION, WHICH IS RESPONSIBLE FOR PLANNING AND CARRYING OUT A PROGRAM OF RESEARCH, DEVELOPMENT AND DEMONSTRATION IN HIGH-SPEED GROUND TRANSPORT.

7. AND, OF COURSE, THE RAIL, MOTOR CARRIER AND PIPELINE SAFETY ACTIVITIES OF THE ICC WITH WHICH ALL OF YOU ARE FAMILIAR.

AS YOU KNOW, THE FEDERAL REGULATORY AGENCIES IN THE FIELD OF TRANSPORTATION -- THE INTERSTATE COMMERCE COMMISSION, THE CIVIL AERONAUTICS BOARD, AND THE FEDERAL MARITIME COMMISSION -- WILL RETAIN THEIR INDEPENDENCE.

REGRETTABLY, THE MARITIME COMMISSION WILL REMAIN OUTSIDE THE NEW DEPARTMENT -- AT LEAST FOR THE TIME BEING. BUT IT IS NO MORE POSSIBLE TO EXCLUDE THE MARITIME AREA FROM THE AMBIT OF OUR PRIME POLICY CONCERNS THAN IT IS TO CONCEIVE OF A TOTAL TRANSPORTATION SYSTEM WITHOUT SOME FORM OF WATER TRANSPORTATION. AND WE LOOK FORWARD, IN THE INTERESTS OF THE MARITIME INDUSTRY AS WELL AS OF THE NATION, TO THE EARLY INCLUSION IN THE NEW DEPARTMENT OF SO IMPORTANT A PART OF OUR OVERALL TRANSPORTATION STRUCTURE.

FINALLY, BECAUSE IT IS IMPOSSIBLE TO COPE WITH THE PROBLEMS OF URBAN MASS TRANSPORTATION WITHOUT BECOMING DEEPLY INVOLVED IN THE BROADER PROBLEMS OF OUR GENERAL URBAN ENVIRONMENT, THE NEW DEPARTMENT WILL WORK VERY CLOSELY WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN FASHIONING PROGRAMS AND POLICIES TO IMPROVE OUR URBAN TRANSPORTATION SYSTEM. IN ADDITION, THE TWO DEPARTMENTS WILL, WITHIN THE YEAR, RECOMMEND TO THE PRESIDENT AND THE CONGRESS A MORE PRECISE AND APPROPRIATE APPORTIONMENT OF URBAN TRANSPORTATION RESPONSIBILITIES WITHIN THE GOVERNMENT.

AT THIS EARLY HOUR, WHEN WE ARE STILL ENGAGED IN ORGANIZING OURSELVES INTO A SINGLE, SYNCHRONIZED DEPARTMENT, IT WOULD BE PREMATURE TO TRY TO TALK OF SPECIFIC PLANS AND PROGRAMS -- OR TO EXPLORE IN ANY DEPTH THE ISSUES AND OPPORTUNITIES BEFORE US IN THE FIELD OF TRANSPORTATION.

BUT I WOULD LIKE, VERY BRIEFLY, TO CONSIDER WITH YOU OUR OVERALL AIMS AS WELL AS SOME OF THE BROAD CHALLENGES THAT LIE AHEAD.

WE HAVE A FUNDAMENTAL GOAL -- TO INSURE FOR AMERICA, IN THE WORDS OF PRESIDENT JOHNSON, "A COORDINATED TRANSPORTATION SYSTEM THAT PERMITS TRAVELLERS AND GOODS TO MOVE CONVENIENTLY AND EFFICIENTLY FROM ONE MEANS OF TRANSPORTATION TO ANOTHER, USING THE BEST CHARACTERISTICS OF EACH".

WE RECOGNIZE THAT WE HAVE IN AMERICA TODAY THE BEST TRANSPORTATION SYSTEM IN THE WORLD. AND I MUST OBSERVE THAT YOUR INDUSTRY IS ONE OF THE PRINCIPAL BULWARKS OF THAT GREAT SYSTEM.

BUT WE MUST ASK OURSELVES SOME QUESTIONS.

WE MUST ASK WHETHER OUR TRANSPORTATION SYSTEM MEASURES UP TO THE NEEDS OF OUR SHIPPERS BY OFFERING THEM THE OPPORTUNITY TO MOVE THEIR GOODS IN THE MOST EFFICIENT MANNER POSSIBLE.

WE MUST ASK WHETHER IT MEETS THE NEEDS OF OUR COMMUTERS AND TRAVELLERS BY OFFERING THEM THE OPPORTUNITY TO MOVE SWIFILY, SAFELY AND ECONOMICALLY BETWEEN HOME AND JOB, AND BETWEEN CITY AND CITY.

WE MUST ASK WHETHER OUR TRANSPORTATION INDUSTRIES THEMSELVES ARE TAKING FULL ADVANTAGE OF THE LATEST TECHNOLOGIES, NOT ONLY TO IMPROVE THE PERFORMANCE OF EACH INDIVIDUAL MODE, BUT TO MEET THE GROWING NEED FOR MORE AND BETTER INTER-MODAL SERVICE.

WE MUST ASK WHETHER, IN OUR PREOCCUPATION WITH PURELY TRANSPORTATION PROBLEMS, WE HAVE TAKEN ADEQUATE ACCOUNT OF THE ENORMOUS IMPACT UPON OUR PHYSICAL AND SOCIAL ENVIRONMENT THAT THE RAPID EXPANSION OF TRANSPORTATION VEHICLES AND FACILITIES INEVITABLY ENTAILS.

WHEN WE ASK OURSELVES THESE QUESTIONS WE BECOME WELL AWARE, NOT ONLY OF INSUFFICIENCIES WITHIN OUR PRESENT TRANSPORTATION SYSTEM, BUT OF THE INADEQUACIES OF THE PAST APPROACH TO TRANSPORTATION -- BOTH IN PRIVATE INDUSTRY AND IN GOVERNMENT.

FOR TO ASK THESE QUESTIONS REQUIRES THAT WE LOOK AT OUR TRANSPORTATION SYSTEM AS A WHOLE, THAT WE SEE IT FOR WHAT IT HAS, IN FACT, BECOME -- NOT SIMPLY A SERIES OF SEPARATE AND SELF-CONTAINED ENTERPRISES, BUT A TOTAL AND INTERDEPENDENT SYSTEM.

THE JOB OF THE TRANSPORTATION DEPARTMENT IS TO INSURE THAT OUR APPROACH TO TRANSPORTATION, AT ALL LEVELS, REFLECTS THAT FACT.

SUCH AN APPROACH REQUIRES, FIRST OF ALL, THAT WE HAVE AVAILABLE WHAT WE DO NOT YET HAVE -- CURRENT, ACCURATE AND ABUNDANT DATA ON EVERY FACET OF OUR TRANSPORTATION SYSTEM AS WELL AS ON ITS BROADER ECONOMIC AND SOCIAL IMPACT. ONE OF THE MOST BASIC TASKS OF THE NEW DEPARTMENT WILL BE TO ACCUMULATE THAT KIND OF DATA, WITHOUT WHICH NEITHER GOVERNMENT NOR INDUSTRY CAN UNDERTAKE THE INTELLIGENT, INFORMED PLANNING ESSENTIAL TO COPE WITH THE COMPLEX FUTURE CHALLENGES.

IT WILL REQUIRE, SECONDLY, THAT THERE BE AN EXPANSION OF INVESTMENTS IN NEW TECHNIQUES AND TECHNOLOGIES THAT PROMISE TO STRENGTHEN THE VITALITY AND VERSATILITY OF OUR TOTAL TRANSPORTATION SYSTEM. THE NEW DEPARTMENT WILL COOPERATE CLOSELY WITH PRIVATE INDUSTRY AND WITH OUR STATE AND LOCAL GOVERNMENTS TO ENCOURAGE AND ASSIST THIS KIND OF INVESTMENT ON A FAR GREATER SCALE THAN WE HAVE WITNESSED IN THE PAST -- AND, WHERE APPROPRIATE, WILL BEAR ITS SHARE OF THE RISKS AND COSTS IN THOSE VENTURES. THE HIGH-SPEED RAIL DEMONSTRATION PROJECT IS AN EXAMPLE.

IT WILL REQUIRE, THIRDLY, THAT WE CONTINUALLY EVALUATE BOTH OUR PUBLIC AND PRIVATE TRANSPORTATION INVESTMENTS AND ACTIVITIES ACCORDING

TO THE LATEST TECHNIQUES OF COST-BENEFIT AND SYSTEMS ANALYSIS. WE HAVE MADE GREAT STRIDES IN RECENT YEARS IN PIONEERING AND PERFECTING THESE TECHNIQUES -- BOTH WITHIN GOVERNMENT AND IN PRIVATE INDUSTRY -- AND HOW SKILLFUL WE ARE IN EMPLOYING THEM WILL DO MUCH TO DETERMINE HOW SUCCESSFUL WE ARE IN SOLVING THE PROBLEMS THAT FACE US.

PRESIDENT JOHNSON HAS SAID THAT "NO FUNCTION OF THE NEW DEPARTMENT -- NO RESPONSIBILITY OF ITS SECRETARY -- WILL BE MORE IMPORTANT THAN SAFETY."

AND EACH OF THESE EFFORTS WHICH I HAVE DESCRIBED -- TO IMPROVE OUR DATA, TO ENCOURAGE NEW TECHNOLOGY, AND TO EMPLOY THE SYSTEMS APPROACH -- WILL IMMEASURABLY ENHANCE OUR ABILITY TO DEVELOP EFFECTIVE SAFETY STANDARDS AND PROGRAMS. WE RECOGNIZE THAT THE RAILROAD INDUSTRY WAS CONCERNED OVER THE TRANSFER TO THE NEW DEPARTMENT OF THE RAILROAD SAFETY FUNCTIONS FORMERLY EXERCISED BY THE INTERSTATE COMMERCE COMMISSION. I CAN ASSURE YOU THAT WE WILL EXERCISE THOSE FUNCTIONS FAIRLY AND IMPARTIALLY -- AND THAT WE SEEK IN RAILROAD OPERATIONS ONLY WHAT WE SEEK IN EVERY MODE OF TRANSPORTATION: THE SAFETY OF OUR CITIZENS. TO THE EXTENT THAT DIFFERENT MODES PRESENT DIFFERENT SAFETY PROBLEMS, OUR APPROACHES MAY VARY. BUT I AM CONFIDENT THAT THE OBJECTIVE OF SAFETY IS ONE WE SHARE WITH EVERY SECTOR OF THE TRANSPORTATION INDUSTRY.

OVER THE PAST SIX YEARS WE HAVE WITNESSED IN OUR NATIONAL ECONOMY THE EMERGENCE OF IMPROVED UNDERSTANDING AND A GROWING PARTNERSHIP BETWEEN THE PUBLIC AND PRIVATE SECTORS. WE KNOW THAT ABUNDANT BENEFITS CAN FLOW FROM PUBLIC POLICIES TO ENCOURAGE PRIVATE EFFORT -- AND FROM PRIVATE EFFORT TO FURTHER THE PUBLIC INTEREST.

IT IS THAT KIND OF UNDERSTANDING AND PARTNERSHIP WE SEEK TO FOSTER WITH YOUR INDUSTRY AND THE OTHER MODES. FOR IT WILL BE ESSENTIAL IF WE ARE TO MEET THE CHALLENGES IN TRANSPORTATION.

I WANT TO THANK YOU FOR THE OPPORTUNITY TO SPEAK TO YOU TODAY AND SAY IN CLOSING THAT IN THE MONTHS AHEAD, WE WILL ACTIVELY BE SEEKING YOUR ADVICE AND COUNSEL WITH THE SAME ENTHUSIASM WITH WHICH WE WILL WELCOME YOUR HELP AND SUPPORT.

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

REMARKS OF JOHN E. ROBSON, GENERAL COUNSEL,
DEPARTMENT OF TRANSPORTATION PREPARED FOR
DELIVERY AT MARUC 1967 CONVENTION, MILWAUKEE,
WISCONSIN, 9:00 A.M., JUNE 13, 1967

IT IS PARTICULARLY APPROPRIATE TO BE DISCUSSING
TRANSPORTATION HERE IN MILWAUKEE. NO CITY ILLU-
STRATES BETTER PRESIDENT JOHNSON'S REMARK, THAT
"IN A NATION THAT SPANS A CONTINENT, TRANSPORTATION
IS THE WEB OF UNION." LIKE ALL THE GREAT CITIES OF THE
MIDWEST, MILWAUKEE HAS LONG DEPENDED UPON THE
TRANSPORTATION SYSTEM OF THE NATION FOR HER PROSPERITY,
AND THE NATION IN TURN HAS DEPENDED UPON THAT SYSTEM
FOR ITS SHARE OF THE FINE PRODUCTS THAT ORIGINATE HERE.

THIS CITY IS SERVED BY SIX RAILROADS, SEVEN SCHEDULED
AIRLINES, SEVENTY TRUCK LINES AND TWO INTERSTATE BUS
LINES. SINCE THE OPENING OF THE ST. LAWRENCE SEAWAY,
MILWAUKEE HAS BECOME ONE OF THE WORLD'S MAJOR PORTS,
SERVED BY THIRTY OVERSEAS SHIPPING LINES AND HANDLING
ABOUT 9 MILLION TONS OF CARGO YEARLY.

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AND DURING THE PAST FEW YEARS, MILWAUKEE HAS HAD A UNIQUE, IF PAINFUL, ILLUSTRATION OF THE EVER-INCREASING SPEED AND EFFICIENCY OF TRANSPORTATION IN AMERICA. FOR THE ~~same~~ TRANSPORTATION SYSTEM THAT MAKES IT SO EASY TO MOVE THINGS OR PEOPLE FROM BOSTON TO MILWAUKEE ALSO MAKES IT EASY TO MOVE THOSE SAME THINGS AND PEOPLE FROM MILWAUKEE TO ATLANTA. SO THIS CITY HAS BEEN BOTH THE BENEFICIARY AND THE VICTIM OF THAT REMARKABLE AMERICAN PHENOMENON -- THE MOBILITY REVOLUTION.

IN A SENSE, THE DEPARTMENT OF TRANSPORTATION IS THE CHILD OF THAT REVOLUTION. BUT LIKE MOST CHILDREN TODAY, WE HOPE TO HAVE SOMETHING TO SAY ABOUT THE DIRECTION OUR PARENTS ARE HEADED.

I SHOULD ADD THAT SOME OF THE OTHER OFFSPRING OF THE MOBILITY REVOLUTION, IN ADDITION TO THE DEPARTMENT OF TRANSPORTATION, ARE AIR POLLUTION, TRAFFIC CONGESTION, ACCIDENTS, NOISE, AND UGLINESS; SO WE DON'T HAVE AN UNQUALIFIED PRIDE OF FAMILY.

I KNOW THAT MOST OF THE STATE AGENCIES REPRESENTED IN THIS ROOM ARE ALREADY FULL GROWN. SOME HAVE HALF

A CENTURY AND MORE OF EXPERIENCE IN TRANSPORTATION. SO IN SPEAKING TO YOU THIS MORNING ON BEHALF OF A VIGOROUS TWO-MONTH-OLD INFANT, I SUSPECT THAT YOU MAY HAVE MORE TO TELL US THAN WE HAVE TO TELL YOU. AND I'M CONFIDENT THAT AT LEAST SOME OF YOU WILL TAKE ME UP ON THAT PROPOSITION. I HOPE YOU WILL. ALL OF US IN TRANSPORTATION HAVE A GREAT DEAL TO LEARN, AND YOUR EXPERIENCE AND SUGGESTIONS CAN BE OF ENORMOUS HELP TO US AS WE TRY TO FULFILL OUR RESPONSIBILITIES. SO, ON BEHALF OF SECRETARY BOYD AND ALL THE OTHER OFFICERS OF THE DEPARTMENT, I HOPE YOU WILL WRITE TO US AND VISIT US WHEN YOU COME TO WASHINGTON.

THE IDEA OF A DEPARTMENT OF TRANSPORTATION IS NOT A NEW ONE. IN 1805, THE SECRETARY OF THE TREASURY, ALBERT GALLATIN, SUGGESTED TO PRESIDENT JEFFERSON THAT A CABINET POST BE CREATED WITH RESPONSIBILITY FOR TRANSPORTATION AFFAIRS. AS LONG AGO AS 1890, A BILL TO ESTABLISH A DEPARTMENT OF TRANSPORTATION WAS INTRODUCED IN CONGRESS. THE HOOVER COMMISSION RECOMMENDED CREATION OF A DEPARTMENT OF TRANSPORTATION, AS DID PRESIDENT EISENHOWER. SO WHEN THE

DEPARTMENT FORMALLY CAME INTO BEING ON APRIL 1 OF THIS YEAR, IT REPRESENTED A RESPONSE TO A LONG-FELT NEED.

BECAUSE WE ARE SO NEW, I WOULD LIKE TO TAKE A MOMENT TO TELL YOU SOMETHING OF WHAT WE ARE AND WHAT WE DO. WE'RE A RELATIVELY LARGE DEPARTMENT, EMPLOYING NEARLY ⁹⁵ ~~100~~ PEOPLE. ^{FOURTH} WE ADMINISTER OVER THIRTY MAJOR TRANSPORTATION LAWS. AND OUR ANNUAL BUDGET EXCEEDS \$6 BILLION.

OUR ORGANIZATIONAL ELEMENTS AND MAJOR PROGRAMS INCLUDE:

-- THE FEDERAL AVIATION ADMINISTRATION, RESPONSIBLE FOR THE AVIATION SAFETY AND AIR TRAFFIC CONTROL FUNCTIONS FORMERLY CARRIED ON BY THE FEDERAL AVIATION AGENCY. EVERY MAJOR AIRPORT HAS AN FAA CONTROL TOWER. THE AVIATION ADMINISTRATION ALSO HANDLES THE SUPERSONIC TRANSPORT DEVELOPMENT PROGRAM.

-- THE FEDERAL HIGHWAY ADMINISTRATION WHICH HOUSES THE BUREAU OF PUBLIC ROADS. IT IS ALSO RESPONSIBLE FOR THE MOTOR CARRIER SAFETY FUNCTIONS FORMERLY

CONDUCTED BY THE INTERSTATE COMMERCE COMMISSION AND THE NEWLY CREATED MOTOR VEHICLE AND HIGHWAY SAFETY PROGRAMS.

-- THE FEDERAL RAILROAD ADMINISTRATION, RESPONSIBLE FOR RAIL AND PIPELINE SAFETY ACTIVITIES PREVIOUSLY ADMINISTERED BY THE ICC AS WELL AS THE EXCITING NEW HIGH-SPEED GROUND TRANSPORTATION PROGRAM.

-- THE COAST GUARD, THE NATION'S OLDEST SEAGOING SERVICE, WITH DOMESTIC AND INTERNATIONAL MARINE SAFETY AND NAVIGATIONAL RESPONSIBILITIES. THE COAST GUARD'S 30 SHIPS IN VIET NAM TESTIFY TO ITS READINESS TO PARTICIPATE IN THE DEFENSE OF FREEDOM.

-- THE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION, SO IMPORTANT TO THE COMMERCE OF THIS CITY.

-- THE ALASKA RAILROAD.

WE ALSO HOUSE THE NEW NATIONAL TRANSPORTATION SAFETY BOARD, AN INDEPENDENT ENTITY WITH BROAD RESPONSIBILITIES IN THE FIELD OF TRANSPORTATION SAFETY.

PERHAPS YOU'VE READ ABOUT THE INVESTIGATIONS THE BOARD HAS BEGUN ON THE RAILROAD ACCIDENT IN NEW YORK CITY AND THE PLANE CRASH IN URBANA, OHIO.

THE DEPARTMENT'S REGULATORY FUNCTIONS AND AUTHORITY ARE BROADEST IN THE AREA OF SAFETY.

HOWEVER, NOT ALL FEDERAL FUNCTIONS IN THE TRANSPORTATION FIELD ARE OURS. BASIC ECONOMIC REGULATION OVER RATES, ROUTES AND OPERATING AUTHORITY, HAS BEEN LEFT WITH THE ICC, THE CIVIL AERONAUTICS BOARD AND THE FEDERAL MARITIME COMMISSION.

THIS MORNING I WANT TO OUTLINE SOME ASPECTS OF THE ROLE THE DEPARTMENT OF TRANSPORTATION EXPECTS TO PLAY IN THE LIFE OF THIS NATION, AND I WANT PARTICULARLY TO EMPHASIZE THE STYLE OF GOVERNMENT THIS ROLE CONTEMPLATES.

A GREAT DEAL IS BEING SAID AND WRITTEN THESE DAYS ABOUT SO-CALLED "STYLES" OF GOVERNMENT. THERE IS CONSIDERABLE SOUL-SEARCHING AND SELF-ANALYSIS ABOUT THE ROLES TO BE PLAYED BY FEDERAL, STATE AND LOCAL GOVERNMENTS, AND THE RELATIONS BETWEEN THEM. WE HEAR TALK ABOUT A "NEW" FEDERALISM, A "CREATIVE"

FEDERALISM, ALL OF WHICH SUGGESTS THAT TRADITIONAL APPROACHES TO THE PROBLEMS OF GOVERNING ARE FELT TO BE LESS THAN PERFECT. AS PARTICIPANTS IN GOVERNMENT, YOU AND I ARE DIRECTLY CONCERNED WITH THESE QUESTIONS.

ALTHOUGH THE DEPARTMENT HAS BEEN CHARGED WITH BROAD AND VARIED RESPONSIBILITIES, IF I HAD TO CHOOSE A PHRASE TO DESCRIBE THE SIGNIFICANT CHARACTERISTIC OF ITS ROLE AND STYLE OF GOVERNMENT, IT WOULD BE "POSITIVE COORDINATION."

BY THIS I MEAN THE INFLUENCING OF MORE OR LESS AUTONOMOUS EVENTS SO THAT THEY CAN BEAR SOME KIND OF ORDERED RELATIONSHIP TO EACH OTHER. IT IS A RECIPE WHICH CALLS FOR LARGE PORTIONS OF LEADERSHIP, INTELLIGENCE, EDUCATION, UNDERSTANDING, ACTION, AND RESTRAINT.

POSITIVE COORDINATION, AS A PHILOSOPHY AND STYLE OF GOVERNMENT, CONTEMPLATES NEITHER RIGID GOVERNMENT DOMINATION NOR COMPLETE HANDS-OFF. IT IS BY NO MEANS THE ONLY STYLE OF GOVERNMENT EMPLOYED TODAY.

THERE ARE AMPLE REASONS WHY THE APPROACH OF POSITIVE COORDINATION IS APPROPRIATE, INDEED, REQUIRED, IN TRANSPORTATION. FOUR OF THOSE REASONS STAND OUT:

FIRST: OUR MEANS OF TRANSPORTATION, GENERALLY SPEAKING, ARE NOT OWNED OR OPERATED BY GOVERNMENT. AS PRESIDENT JOHNSON SAID, IN PROPOSING THE DEPARTMENT OF TRANSPORTATION ACT TO CONGRESS:

"THE UNITED STATES IS THE ONLY MAJOR NATION IN THE WORLD THAT RELIES PRIMARILY UPON PRIVATELY OWNED AND OPERATED TRANSPORTATION. THAT NATIONAL POLICY HAS SERVED US WELL. IT MUST BE CONTINUED."

I WANT TO ASSURE EACH OF YOU HERE TODAY THAT THE DEPARTMENT OF TRANSPORTATION IS COMMITTED TO CONTINUING THAT POLICY.

SECOND: THE FEDERAL GOVERNMENT ECONOMICALLY SUPPORTS VERY LITTLE OF OUR NATION'S TRANSPORTATION. THE TOTAL TRANSPORTATION INVESTMENT IN AMERICA, PUBLIC AND PRIVATE, IS IN THE NEIGHBORHOOD OF \$425 BILLION. THE TOTAL ANNUAL FEDERAL EXPENDITURE IN TRANSPORTATION IS ONLY \$6 BILLION. THAT DOESN'T REPRESENT MUCH LEVERAGE, COMPARED TO THE \$425 BILLION FIGURE. AS A MATTER OF FACT, STATE AND LOCAL GOVERNMENTS SPEND ABOUT TWICE AS MUCH ON TRANSPORTATION WORKS AS THE FEDERAL GOVERNMENT.

THIRD: DESPITE THE FACT AND TRADITION OF MASSIVE PRIVATE OWNERSHIP OF OUR MEANS OF TRANSPORTATION, GOVERNMENT, FEDERAL, STATE AND LOCAL, IS INEXTRICABLY BOUND INTO OUR TRANSPORTATION SYSTEM. I NEED NOT ILLUSTRATE THE POINT FOR THIS ORGANIZATION.

PERHAPS NO FREIGHT RATE OR PASSENGER FARE BEING CHARGED TODAY REFLECTS THE ACTUAL COST OF TRANSPORTATION. THIS IS BECAUSE THE LOCAL, STATE AND FEDERAL GOVERNMENTS, OR MORE ACCURATELY, THEIR TAXPAYERS, ALWAYS BEAR SOME PART OF THE BURDEN.

ALMOST ALL OF THE 94 MILLION CARS AND TRUCKS IN AMERICA ARE PRIVATELY OWNED. SO ARE THE NATION'S BARGES AND TOWBOATS, ITS AIRLINES AND ITS OCEAN-GOING VESSELS. BUT THE HIGHWAYS ARE PUBLICLY MAINTAINED, THE RIVERS AND CANALS ARE KEPT NAVIGABLE BY THE CORPS OF ENGINEERS, OUR MAJOR AIRPORTS ARE PUBLICLY MAINTAINED, AIR ROUTES ARE ASSIGNED BY A FEDERAL AGENCY, AND THE GREAT HARBORS AND PORTS ARE A PUBLIC INVESTMENT.

SO, EXCLUSIVE OF URBAN MASS TRANSIT AND MILITARY, ALMOST ALL TRANSPORT VEHICLES IN THIS COUNTRY ARE

PRIVATE PROPERTY. BUT THE ROUTES AND FACILITIES OVER WHICH THESE VEHICLES OPERATE ARE PUBLIC PROPERTY. THAT IS THE RULE.

THE ONE MAJOR EXCEPTION IS THE RAILROAD RIGHT OF WAY. HISTORICALLY, OF COURSE, MOST OF THE RAILROAD RIGHTS OF WAY ORIGINATED IN PUBLIC LAND GRANTS.

FOURTH: A LOT OF PEOPLE AND INSTITUTIONS, PUBLIC AND PRIVATE, ARE INVOLVED IN TRANSPORTATION. IN THE CASE OF MOST IMPORTANT DECISIONS CONCERNING A CARRIER'S OR UTILITY'S OPERATIONS, THE FINAL RESULT IS LIKELY TO BE THE JOINT PRODUCT OF MANAGEMENT, LABOR AND FEDERAL, STATE AND OFTEN LOCAL GOVERNMENT. IT TAKES NO GREAT INSIGHT TO RECOGNIZE THAT THE DEPARTMENT OF TRANSPORTATION'S VOICE WILL BE MUTED AND FEDERAL PROGRAMS WILL FALTER IF WE DO NOT PROPERLY RESPECT THE ROLES OF ALL THE NON-FEDERAL PARTICIPANTS IN TRANSPORTATION DECISION-MAKING.

TO SAY THE LEAST, THIS IS A CONFUSING MIX. WHAT ROLE, ^{as transportation} THEN, IS THE DEPARTMENT TO PLAY IN AN ENVIRONMENT WHERE FEDERAL ECONOMIC LEVERAGE IS COMPARATIVELY SLIGHT, WHERE OUR LEGAL AUTHORITY, IN THE REGULATORY SENSE,

IS SIGNIFICANT BUT PARTIAL, WHERE WE MUST RESPECT THE DECISIONS OF BUSINESS, LABOR AND STATE AND LOCAL GOVERNMENTAL AGENCIES, AND WHERE, IN SHORT, WE CAN NEITHER GET ALL THE WAY IN NOR ALL THE WAY OUT?

IT IS HERE THAT THE CONCEPT OF "POSITIVE COORDINATION" EMERGES. IT IS A CONCEPT CONSISTENT WITH THE MISSION AND AUTHORITY CONGRESS HAS GIVEN THE DEPARTMENT. IT IS A CONCEPT CONSISTENT WITH SECRETARY BOYD'S REJECTION OF THE NOTION THAT THE DEPARTMENT WILL BE A "BIG-DADDY" TO THE TRANSPORTATION SYSTEMS OF THIS COUNTRY AND HIS RECENT AFFIRMATION THAT:

"THE DEPARTMENT WILL HAVE THE RESPONSIBILITY FOR ENCOURAGING AND PROMOTING OUR PRIVATE ENTERPRISE SYSTEM, RATHER THAN TRYING TO MOVE IN THE DIRECTION OF TAKING OVER ITS ACTIONS AND RESPONSIBILITIES"

THERE IS THE WIDE RANGE OF TECHNIQUES AVAILABLE TO THE DEPARTMENT TO MAKE ITS POSITIVE COORDINATION EFFECTIVE IN THE NATIONAL INTEREST. THE DEPARTMENT MAY SIMPLY PROVIDE THE INFORMATION AND RESEARCH NECESSARY TO ENABLE THOSE OUTSIDE THE FEDERAL GOVERNMENT TO PERCEIVE THE OPTIONS AVAILABLE TO THEM. IN OTHER CASES, THE DEPARTMENT MAY TRY TO INFLUENCE THE

RELATIVE ATTRACTIVENESS OF THESE OPTIONS TO THE DECISION-MAKERS. IN STILL OTHER CIRCUMSTANCES, THE DEPARTMENT MAY ITSELF MAKE A DECISION WHICH MAY HAVE EFFECTS -- RANGING FROM THE PERSUASIVE TO THE CONCLUSIVE -- UPON PEOPLE OUTSIDE THE FEDERAL GOVERNMENT.

AVAILABILITY OF ALL THE RELEVANT FACTS AND STATISTICS WILL ENABLE STATE AND LOCAL GOVERNMENTS, AND THEIR ELECTORATES, TO MAKE THE MOST INFORMED CHOICES OF TRANSPORTATION OPTIONS, FOR EXAMPLE, BETWEEN MORE FREEWAYS OR IMPROVED MASS TRANSPORTATION. RESEARCH AND DEMONSTRATION PROJECTS CAN PROLIFERATE THE AVAILABLE OPTIONS. THE ADMINISTRATION OF OUR FEDERAL HIGHWAY AND AIRPORT AID PROGRAMS, OR THE DECISION TO COMMIT FEDERAL FUNDS TO DEVELOPING A SUPERSONIC TRANSPORT, CAN SHAPE AND INFLUENCE, BUT CERTAINLY NOT CONTROL, THE TRANSPORTATION OPTIONS FOR BOTH COMMERCE AND LEISURE. ALL OF THESE ARE ILLUSTRATIVE OF THE TECHNIQUES OF POSITIVE COORDINATION.

EVEN IN THE CRITICAL AREA OF TRANSPORTATION SAFETY, WHERE THE DEPARTMENT HAS BEEN GIVEN BROAD

POWERS, WE HOPE TO DO AS MUCH BY LEADERSHIP, EDUCATION, AND PERSUASION -- IN SHORT, BY POSITIVE COORDINATION -- AS WE DO BY ISSUING DIRECTIVES. FOR EXAMPLE, WE THINK AUTOMOBILE MANUFACTURERS HAVE A RESPONSIBILITY TO THE PUBLIC TO MAKE THEIR CARS AS SAFE AS CURRENT TECHNOLOGY PERMITS, AND TO DO SO EVEN WHEN THAT TECHNOLOGY IS IN ADVANCE OF THE VEHICLE SAFETY STANDARDS PRESCRIBED BY THE DEPARTMENT'S MOTOR VEHICLE SAFETY BUREAU. ONE OF THE GOALS OF THE BUREAU WILL BE TO ENCOURAGE AND ASSIST THE MANUFACTURERS IN FULFILLING THIS DUTY. WE HOPE TO STIMULATE COMPETITION AMONG THE MANUFACTURERS IN SAFETY, AS WELL AS IN STYLING AND PRICE.

I WANT NOW TO TURN TO THE LEVELS AT WHICH THIS KIND OF APPROACH CAN OPERATE.

THE FIRST LEVEL AT WHICH COORDINATION CAN BE AN EFFECTIVE TOOL OF GOVERNMENT IS WITHIN EACH MODE OF TRANSPORTATION -- COORDINATION BETWEEN CARRIERS AND SHIPPERS, BETWEEN INDUSTRY AND GOVERNMENT, BETWEEN FEDERAL, STATE AND LOCAL GOVERNMENTS -- IN THE INTEREST OF PROMOTING THE DEVELOPMENT OF A PARTICULAR MODE.

CARRIERS PLAINLY HAVE TO TRY TO COORDINATE THEIR FUTURE PLANNING WITH THE ANTICIPATED REQUIREMENTS OF SHIPPERS, PARTICULARLY BECAUSE OF THE LONG LEAD-TIMES ASSOCIATED WITH THE PROCUREMENT OF TRANSPORTATION EQUIPMENT. WE THINK THAT THE DISSEMINATION OF THE STATISTICAL BASE TO SUPPORT THIS PLANNING IS AN IMPORTANT PART OF OUR MISSION AND WE HAVE ALREADY BEGUN TO DEVISE MEANS TO SUPPLY NEW TYPES OF INFORMATION AND TO IMPROVE EXISTING TYPES.

BUT WHAT ABOUT COORDINATION WITHIN THE FEDERAL GOVERNMENT ITSELF AT THIS INTRA-MODAL LEVEL? SURELY THE VARIOUS FEDERAL AGENCIES WHICH AFFECT A GIVEN MODE OUGHT TO BE AWARE OF AND ASSIST EACH OTHERS' PROGRAMS. FOR EXAMPLE, SINCE THE FEDERAL GOVERNMENT HAS DETERMINED TO COMMIT BILLIONS OF DOLLARS TO AN INTERSTATE HIGHWAY SYSTEM, IT SEEMS TO US IMPORTANT THAT REGULATORY AGENCIES ADOPT POLICIES TO PROMOTE THE USE OF THAT SYSTEM. FOR THIS REASON, THE DEPARTMENT OF TRANSPORTATION HAS RECENTLY SUBMITTED A BRIEF IN AN ICC CASE IN AN EFFORT TO DO AWAY WITH RESTRICTIVE PRACTICES WHICH FAIL TO PROMOTE THE

MAXIMUM USE OF THE INTERSTATE HIGHWAY SYSTEM BY MOTOR CARRIERS. WE EXPECT TO APPEAR FREQUENTLY BEFORE THE REGULATORY AGENCIES TO PROVIDE THEM WITH OUR VIEWS IN SUPPORT OF THE PUBLIC INTERESTS.

IT IS EQUALLY IMPORTANT THAT THE STATE AND FEDERAL AGENCIES HAVING JURISDICTION OVER A GIVEN MODE TRY TO HELP EACH OTHER. STATE REGULATORY AGENCIES CAN GIVE THE FULL CONSIDERATION TO NATIONAL NEEDS AND POLICIES. CONVERSELY, THE FEDERAL GOVERNMENT HAS AN OBLIGATION TO RECOGNIZE AND RESPECT THE EXISTENCE OF LEGITIMATE STATE POLICIES AND PROGRAMS.

I WOULD BE REMISS INDEED IF I FAILED TO MENTION THE OUTSTANDING WORK IN THIS AREA BEING DONE BY MARUC AND ITS PARENT. ONE OF THE MOST PROMISING DEVELOPMENTS IS PUBLIC LAW 89-170, WHICH FORMALIZES THE WORKING PARTNERSHIP BETWEEN NARUC AND THE FEDERAL GOVERNMENT. I AM SURE THERE ARE MANY OTHER AREAS IN WHICH WE CAN APPLY A SIMILAR APPROACH.

ONE SUCH AREA MAY BE NATURAL GAS PIPELINES. AS MANY OF YOU MAY KNOW, THERE IS NOW BEFORE CONGRESS LEGISLATION WHICH WOULD GIVE THE DEPARTMENT OF

TRANSPORTATION AUTHORITY TO PRESCRIBE MINIMUM SAFETY STANDARDS FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF NATURAL GAS PIPELINES.

WITHIN THE FRAMEWORK OF POSITIVE COORDINATION I WOULD LIKE TO OUTLINE THE DEPARTMENT'S INTENTIONS IN SETTING MINIMUM SAFETY STANDARDS FOR GAS PIPELINES.

FIRST, WE ARE NOT TRYING TO USURP THE INDIVIDUAL STATES IN REGULATING NATURAL GAS SYSTEMS. SOME OF THE STATES ARE PRESENTLY CONDUCTING VERY FINE SAFETY PROGRAMS. OTHERS REGRETTABLY ARE NOT. WHAT WE WANT IS TO ESTABLISH MINIMUM STANDARDS TO HELP ALL STATES IN THEIR SAFETY EFFORTS.

SECOND, WE FEEL THAT THE RESPONSIBILITY FOR ENFORCEMENT OF ANY SAFETY STANDARD SHOULD NOT REST SOLELY WITH THE FEDERAL GOVERNMENT. IN THIS WE ARE MOST WILLING TO COOPERATE AND WORK WITH ALL STATE COMMISSIONS.

AND THIRD, IF THIS LEGISLATION PASSES, WE WANT, IN FORMULATING APPROPRIATE MINIMUM STANDARDS, TO WORK AS CLOSELY AS POSSIBLE WITH THE INDUSTRY, THE STATES, AND ALL INTERESTED PARTIES. I MIGHT ADD, NARUC STANDS AT THE FOREFRONT OF THIS GROUP.

A SECOND LEVEL OF POSITIVE COORDINATION IS AMONG THE VARIOUS MODES OF TRANSPORTATION.

NEW TECHNOLOGY IS INCREASING THE INTERDEPENDENCE OF THE MODES: AN OBVIOUS EXAMPLE IS THE BURGEONING FIELD OF CONTAINERIZATION. BUT THE INTERRELATIONSHIPS BETWEEN THE MODES CONTINUE TO PROVIDE SOME OF THE MOST VEXING PROBLEMS IN TRANSPORTATION. WE ARE CONFRONTED WITH SUCH ANOMALIES AS INCREDIBLY SWIFT JET TRANSPORTATION FROM AIRPORT TO AIRPORT -- AND BUMPER-TO-BUMPER TRAFFIC JAMS FROM THE AIRPORT TO OUR DESTINATION. BECAUSE OF THESE INTER-MODAL PROBLEMS, A NEW FEDERAL CABINET-LEVEL DEPARTMENT WAS CREATED WITH A BROAD MISSION NOT ONLY IN ONE MODE,

IN THE INTERNATIONAL AREA WE ARE ALREADY
BUT IN TRANSPORTATION AS A WHOLE. *ALREADY WE ARE*
~~ARE ALREADY~~

WORKING WITH THE PRIVATE SECTOR TO DEVELOP MEANS FOR SIMPLIFYING AND COORDINATING INTERMODAL FREIGHT DOCUMENTATION SO THAT OUR INTERNATIONAL TRADE IS NOT HAMPERED BY A MOUNTAIN OF PAPERWORK. THE NEED FOR COORDINATION IS APPARENT IN INTER-MODAL SITUATIONS. AS A FIRST STEP, I SUGGEST THAT THE STATES GIVE

CONSIDERATION TO THE CREATION OF A SINGLE AUTHORITY
WITH INTER-MODAL JURISDICTION. A FEW STATES HAVE
ALREADY TAKEN THAT STEP, AND I HOPE OTHER STATES
WILL EXAMINE IT CAREFULLY.

THERE IS A FINAL LEVEL OF COORDINATION I WANT TO
DISCUSS: THAT IS COORDINATION BETWEEN OUR TRANSPORTA-
TION SYSTEM, TAKEN AS A WHOLE, AND THE BROAD GOALS
OF SOCIETY.

THE GOAL OF ALL OUR ACTIVITY IN TRANSPORTATION
IS TO TRY TO MAXIMIZE THE TOTAL POTENTIAL BENEFIT OF
TRANSPORTATION TO THE NATION. I EMPHASIZE THE WORD
"TOTAL." BUT THE ORTHODOX APPROACH HAS BEEN TO
IDENTIFY THE BENEFIT TO THE PARTICIPANTS IN A PARTICULAR
TRANSPORTATION PROCESS WITHOUT CONSIDERING THE IMPACT
ON THOSE WHO MAY NOT APPEAR TO BE DIRECTLY INVOLVED.

FOR EXAMPLE, IN FORMULATING A HIGHWAY PROGRAM
IT IS COMPARATIVELY EASY TO ASCERTAIN THE BENEFIT TO
HIGHWAY USERS AND SHIPPERS. IT IS MORE DIFFICULT TO
ASSESS THE LONG-RANGE NEEDS OF THE COMMUNITIES WHOSE
FUTURE COMMERCIAL AND POPULATION PATTERNS MAY BE
DETERMINED BY THE LOCATION OF THE ROAD, THE IMPACT

ON CITIES WHICH ARE UNPREPARED FOR THE TRAFFIC
INCREASE THE NEW ROAD MAY BRING, THE PRICE OF ADDED
AIR POLLUTION AND THE AESTHETIC NEEDS OF OUR PEOPLE.
DO WE CONSIDER WHETHER THE ROAD WILL INDUCE FURTHER
EXODUS TO THE SUBURBS, THUS CONTRIBUTING TO THE
ABANDONMENT OF THE CENTRAL CITY TO OFFICE BUILDINGS
AND SLUMS.

WANTS →

WE ARE INCREASINGLY AWARE OF THE SUBTLE AND
INDIRECT WAYS OUR TRANSPORTATION DECISIONS AFFECT
THE QUALITY OF OUR LIVES.

TO A GREATER OR LESSER EXTENT, ALL DECISIONS
INVOLVING THE ALLOCATION AND USE OF TRANSPORTATION
RESOURCES HAVE SOCIAL AND ENVIRONMENTAL IMPACT.

I SUGGEST TO YOU THAT WE CAN NO LONGER COMFORTABLY
VIEW QUESTIONS OF TRANSPORTATION SIMPLY IN THE CONTEXT
OF MOVING PEOPLE AND GOODS. IF WE ARE TO FULFILL OUR
GOALS AS A SOCIETY WE HAVE TO TAKE ACCOUNT OF ALL THE
IMPLICATIONS OF OUR DECISIONS.

FOR ALL OF US WHO ARE INVOLVED IN THE TRANSPORTATION
DECISION-MAKING ARE NECESSARILY INVOLVED IN SOCIETY
DECISION-MAKING.

THE IMPORTANT THING IS THAT THESE DECISIONS BE ENLIGHTENED BY AN AWARENESS OF THEIR CONSEQUENCES -- THAT WE SEEK TO COORDINATE OUR TRANSPORTATION DECISIONS WITH OUR BROAD GOALS AS A SOCIETY.

THE PROBLEMS OF TRANSPORTATION -- ITS HIDDEN AND OFTEN INDIRECT COSTS TO SOCIETY -- ARE NOT GOING TO BE RESOLVED OVERNIGHT. WE DO NOT WRITE UPON A CLEAN SLATE. BUT THE DECISIONS WE MAKE TODAY WILL ESTABLISH THE BOUNDARIES OF OUR FUTURE FREEDOM OF CHOICE.

AN APPRECIATION OF THE REALITIES OF THE AMERICAN TRANSPORTATION SYSTEM REQUIRES A STYLE OF GOVERNMENT WHICH WILL AFFORD AMPLE ROOM FOR DIVERSITY OF VIEWPOINT WHILE AT THE SAME TIME ENCOURAGING ALL THE PARTICIPANTS IN TRANSPORTATION TO RE COGNIZE THEIR COMMON INTERESTS. IT REQUIRES THE FEDERAL GOVERNMENT TO BE A GOOD LISTENER AS WELL AS AN ELOQUENT SPEAKER. IT MEANS PROVIDING THE FACILITIES, THE MACHINERY, THE TECHNIQUES, AT TIMES THE MONEY, AND AT ALL TIMES THE OBJECTIVITY TO ALLOW THE PARTICIPANTS IN TRANSPORTATION TO HELP DEFINE AND SOLVE THEIR PROBLEMS. IT MEANS PROVIDING

LEADERSHIP, FOCUS, AND DIRECTION. IT MEANS PROVIDING
POSITIVE COORDINATION.

THE DEPARTMENT OF TRANSPORTATION WILL DO ITS
UTMOST TO PERFORM THAT ROLE.

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

REMARKS OF JOHN E. ROBSON, GENERAL COUNSEL,
DEPARTMENT OF TRANSPORTATION, PREPARED FOR
DELIVERY AT THE 1967 WORKSHOP ON HIGHWAY LAW,
MADISON, WISCONSIN, 2:30 P.M., JULY 24, 1967

IT IS PARTICULARLY APPROPRIATE TO BE DISCUSSING
TRANSPORTATION HERE IN WISCONSIN. NO STATE ILLUSTRATES
BETTER PRESIDENT JOHNSON'S REMARK THAT "IN A NATION THAT
SPANS A CONTINENT, TRANSPORTATION IS THE WEB OF UNION."
LIKE ALL THE GREAT STATES OF THE MIDWEST, WISCONSIN HAS
LONG DEPENDED UPON THE TRANSPORTATION SYSTEM OF THE
NATION FOR HER PROSPERITY, AND THE NATION IN TURN HAS
DEPENDED UPON THAT SYSTEM FOR ITS SHARE OF THE FINE
PRODUCTS THAT ORIGINATE HERE.

AND DURING THE PAST FEW YEARS, WISCONSIN HAS HAD A
UNIQUE, IF PAINFUL, ILLUSTRATION OF THE EVER-INCREASING
SPEED AND EFFICIENCY OF TRANSPORTATION IN AMERICA. FOR
THE TRANSPORTATION SYSTEM THAT MADE IT SO EASY TO MOVE
THINGS OR PEOPLE FROM BOSTON TO MILWAUKEE ALSO MADE IT

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EASY TO MOVE THOSE SAME THINGS AND PEOPLE FROM MILWAUKEE TO ATLANTA. SO THIS CITY HAS BEEN BOTH THE BENEFICIARY AND THE VICTIM OF THAT REMARKABLE AMERICAN PHENOMENON -- THE MOBILITY REVOLUTION.

IN A SENSE, THE DEPARTMENT OF TRANSPORTATION IS THE CHILD OF THAT REVOLUTION. BUT LIKE MOST CHILDREN TODAY, WE HOPE TO HAVE SOMETHING TO SAY ABOUT THE DIRECTION OUR PARENTS ARE HEADED.

THE IDEA OF A DEPARTMENT OF TRANSPORTATION IS NOT A NEW ONE. IN 1805, THE SECRETARY OF THE TREASURY, ALBERT GALLATIN, SUGGESTED TO PRESIDENT JEFFERSON THAT A CABINET POST BE CREATED WITH RESPONSIBILITY FOR TRANSPORTATION AFFAIRS. AS LONG AGO AS 1890, A BILL TO ESTABLISH A DEPARTMENT OF TRANSPORTATION WAS INTRODUCED IN CONGRESS. THE HOOVER COMMISSION RECOMMENDED CREATION OF A DEPARTMENT OF TRANSPORTATION, AS DID PRESIDENT EISENHOWER. SO WHEN THE DEPARTMENT FORMALLY CAME INTO BEING ON APRIL 1 OF THIS YEAR, IT REPRESENTED A RESPONSE TO A LONG-FELT NEED.

BECAUSE WE ARE SO NEW, I WOULD LIKE TO TAKE A MOMENT TO TELL YOU SOMETHING OF WHAT WE ARE AND WHAT WE DO.

WE'RE THE FOURTH LARGEST DEPARTMENT IN THE GOVERNMENT, EMPLOYING NEARLY 100,000 PEOPLE. WE ADMINISTER OVER THIRTY MAJOR TRANSPORTATION LAWS. AND OUR ANNUAL BUDGET EXCEEDS \$6 BILLION (THE GREATER PART OF THIS BEING FEDERAL-AID HIGHWAY FUNDS).

OUR ORGANIZATIONAL ELEMENTS AND MAJOR PROGRAMS INCLUDE:

-- THE FEDERAL AVIATION ADMINISTRATION, RESPONSIBLE FOR THE AVIATION SAFETY AND AIR TRAFFIC CONTROL FUNCTIONS FORMERLY CARRIED ON BY THE FEDERAL AVIATION AGENCY. EVERY MAJOR AIRPORT HAS AN FAA CONTROL TOWER. THE AVIATION ADMINISTRATION ALSO HANDLES THE SUPERSONIC TRANSPORT DEVELOPMENT PROGRAM.

-- THE FEDERAL HIGHWAY ADMINISTRATION WHICH, AS YOU ALL KNOW, HOUSES THE BUREAU OF PUBLIC ROADS. IT IS ALSO RESPONSIBLE FOR THE MOTOR CARRIER SAFETY FUNCTIONS FORMERLY CONDUCTED BY THE INTERSTATE COMMERCE COMMISSION AND THE NEWLY CREATED MOTOR VEHICLE AND HIGHWAY SAFETY PROGRAMS.

-- THE FEDERAL RAILROAD ADMINISTRATION, RESPONSIBLE FOR RAIL AND PIPELINE SAFETY ACTIVITIES PREVIOUSLY ADMINISTERED BY THE ICC AS WELL AS THE EXCITING NEW HIGH-SPEED GROUND TRANSPORTATION PROGRAM.

-- THE COAST GUARD, THE NATION'S OLDEST SEAGOING SERVICE, WITH DOMESTIC AND INTERNATIONAL MARINE SAFETY AND NAVIGATIONAL RESPONSIBILITIES. THE COAST GUARD'S 30 SHIPS IN VIET NAM TESTIFY TO ITS READINESS TO PARTICIPATE IN THE DEFENSE OF FREEDOM.

-- THE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION, SO IMPORTANT TO THE COMMERCE OF THE NATION AS ONE OF ITS PRINCIPAL INTERNATIONAL TRADE ROUTES.

-- AND THE ALASKA RAILROAD.

WE ALSO HOUSE THE NEW NATIONAL TRANSPORTATION SAFETY BOARD, AN INDEPENDENT ENTITY WITH BROAD RESPONSIBILITIES IN THE FIELD OF TRANSPORTATION SAFETY.

THE DEPARTMENT'S REGULATORY FUNCTIONS AND AUTHORITY ARE BROADEST IN THE AREA OF SAFETY.

HOWEVER, NOT ALL FEDERAL FUNCTIONS IN THE TRANSPORTATION FIELD ARE OURS. BASIC ECONOMIC REGULATION OVER RATES,

ROUTES AND OPERATING AUTHORITY, HAS BEEN LEFT WITH THE ICC, THE CIVIL AERONAUTICS BOARD AND THE FEDERAL MARITIME COMMISSION.

THE TOP OFFICIAL OF THE DEPARTMENT OF TRANSPORTATION IS, OF COURSE, THE SECRETARY OF TRANSPORTATION. WE AND THE TRANSPORTATION COMMUNITY ARE VERY LUCKY INDEED TO HAVE ALAN S. BOYD SERVING IN THAT ROLE. HE IS A MAN OF ENORMOUS ABILITY AND VISION AND I AM SURE WILL BE RECOGNIZED AS HAVING MADE A SUBSTANTIAL CONTRIBUTION TO TRANSPORTATION AS THE FIRST SECRETARY OF TRANSPORTATION.

THE UNDER SECRETARY OF TRANSPORTATION IS EVERETT HUTCHINSON. MR. HUTCHINSON SERVED ON THE INTERSTATE COMMERCE COMMISSION FOR SEVEN YEARS AND WAS CHAIRMAN OF THE COMMISSION.

THE DEPARTMENT OF TRANSPORTATION ACT PROVIDES FOR FOUR ASSISTANT SECRETARIES AND A GENERAL COUNSEL TO BE APPOINTED BY THE PRESIDENT WITH THE ADVICE AND CONSENT OF THE SENATE, AND AN ASSISTANT SECRETARY FOR ADMINISTRATION, WHO IS APPOINTED BY THE SECRETARY WITH THE

APPROVAL OF THE PRESIDENT AND WHO COMES FROM THE
REGULAR CIVIL SERVICE.

THE ASSISTANT SECRETARIES HAVE FUNCTIONAL ASSIGN-
MENTS. THERE IS AN ASSISTANT SECRETARY FOR POLICY
DEVELOPMENT WHO IS RESPONSIBLE FOR THE BROAD POLICY
ASPECTS OF THE DEPARTMENT. THE ASSISTANT SECRETARY
FOR PUBLIC AFFAIRS HAS, IN ADDITION TO THE PRESS AND
PUBLIC RELATIONS FUNCTIONS, RESPONSIBILITY FOR
CONGRESSIONAL LIAISON, CONTACT WITH STATE AND LOCAL
GOVERNMENTS AND FOR RELATIONS WITH BUSINESS AND LABOR.
THERE IS AN ASSISTANT SECRETARY FOR INTERNATIONAL
AFFAIRS, WHO IS RESPONSIBLE FOR THE MANY INTERNATIONAL
ASPECTS OF TRANSPORTATION. FINALLY, THERE IS AN
ASSISTANT SECRETARY FOR RESEARCH AND TECHNOLOGY,
WHOSE TITLE IS ACCURATELY DESCRIPTIVE OF HIS FUNCTIONS.

UNDER THE ORGANIZATIONAL CONCEPT, THE ASSISTANT
SECRETARIES AND GENERAL COUNSEL ACT PRINCIPALLY IN STAFF
FUNCTIONS WHICH CUT ACROSS THE DEPARTMENT. THE
RESPONSIBILITY FOR ACTUAL PROGRAM ADMINISTRATION IS
IN THE FEDERAL AVIATION ADMINISTRATION, THE FEDERAL

RAILROAD ADMINISTRATION, THE FEDERAL HIGHWAY ADMINISTRATION, THE COAST GUARD AND THE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION. EACH OF THE ADMINISTRATIONS IS HEADED BY AN ADMINISTRATOR AND THE COAST GUARD BY THE COMMANDANT. THEY ARE APPOINTED BY THE PRESIDENT WITH THE ADVICE AND CONSENT OF THE SENATE. UNDER THE DEPARTMENT OF TRANSPORTATION ACT THE ADMINISTRATORS AND THE COAST GUARD COMMANDANT REPORT DIRECTLY TO THE SECRETARY.

SINCE THE ORGANIZATIONAL STRUCTURE OF A NEW CABINET IS ALWAYS CONFUSING -- TO THOSE ON THE INSIDE AS WELL AS TO THOSE ON THE OUTSIDE -- I WOULD LIKE TO SPEND A FEW MINUTES OUTLINING FOR YOU THE ORGANIZATION OF THE LEGAL FUNCTIONS IN THE DEPARTMENT OF TRANSPORTATION.

AS I MENTIONED A MOMENT AGO, THE GENERAL COUNSEL OF THE DEPARTMENT OF TRANSPORTATION IS PROVIDED FOR IN THE DEPARTMENT OF TRANSPORTATION ACT. HE IS APPOINTED BY THE PRESIDENT WITH THE ADVICE AND CONSENT OF THE SENATE AND HOLDS OFFICE AT THE PLEASURE OF THE PRESIDENT. NEEDLESS TO SAY, THIS PROVIDES A STRONG INCENTIVE TO TRY TO

PLEASE THE PRESIDENT. UNDER THE DEPARTMENT OF TRANSPORTATION ACT THE GENERAL COUNSEL IS RANKED AT THE SAME LEVEL AS THE ASSISTANT SECRETARIES OF THE DEPARTMENT.

UNDER CURRENT AUTHORIZATIONS, THE DEPARTMENT OF TRANSPORTATION HAS OVER 260 ATTORNEYS. THE GREAT BULK OF THESE LAWYERS SERVE IN THE FEDERAL AVIATION ADMINISTRATION, THE FEDERAL HIGHWAY ADMINISTRATION, THE FEDERAL RAILROAD ADMINISTRATION AND THE COAST GUARD. ABOUT 25 PER CENT OF THE LAWYERS IN THE DEPARTMENT ARE IN THE FEDERAL HIGHWAY ADMINISTRATION. THE ONLY SIGNIFICANT CIVILIAN ATTORNEY FIELD ORGANIZATION IS IN THE FEDERAL AVIATION ADMINISTRATION WHICH HAS VARYING NUMBERS OF LAWYERS UNDER SEVEN REGIONAL COUNSELS. THE ONLY FIELD OFFICE CURRENTLY IN THE FEDERAL HIGHWAY ADMINISTRATION IS A SMALL OFFICE IN SAN FRANCISCO. IN THE COAST GUARD ALL OF ITS FIELD ATTORNEYS ARE MILITARY PERSONNEL. THESE MEN SERVE IN OFFICES THROUGHOUT THE COUNTRY IN THE TWELVE COAST GUARD DISTRICTS.

AS YOU KNOW, MOST OF THE ATTORNEYS IN THE DEPARTMENT HAVE COME IN WITH THE VARIOUS AGENCIES OR PROGRAMS WHICH

WERE TRANSFERRED TO THE DEPARTMENT OF TRANSPORTATION. WITH SOME MODIFICATION, WE HAVE, AS A GENERAL MATTER, KEPT THE LEGAL STAFFS OF THE CONSTITUENT AGENCIES INTACT.

THE RELATIONSHIPS BETWEEN THE LEGAL STAFFS OF THE ADMINISTRATIONS AND THE GENERAL COUNSEL'S OFFICE CAN BE EXPLAINED AS FOLLOWS:

THE GENERAL COUNSEL IS THE CHIEF LEGAL OFFICER OF THE DEPARTMENT OF TRANSPORTATION AND IS THE FINAL LEGAL AUTHORITY ON LEGAL MATTERS ARISING WITHIN ANY OF THE ADMINISTRATIONS OR ELSEWHERE IN THE DEPARTMENT. WHILE IT IS EXPECTED THAT LEGAL MATTERS RELATED TO THE PROGRAMS ADMINISTERED IN ANY ONE ADMINISTRATION WILL BE HANDLED BY THE LEGAL STAFF OF THAT ADMINISTRATION, THE GENERAL COUNSEL IS RESPONSIBLE FOR THE PROFESSIONAL SUPERVISION OF ALL THE LAWYERS IN THE DEPARTMENT AND AS SUCH EXERCISES REVIEW AUTHORITY ON LEGAL MATTERS CONSIDERED SIGNIFICANT TO THE PROGRAMS OR POLICIES OF THE DEPARTMENT. THE GENERAL COUNSEL'S OFFICE WOULD NOT USUALLY PARTICIPATE IN DAY-TO-DAY LEGAL MATTERS WITHIN THE ADMINISTRATIONS.

HOWEVER, QUESTIONS OF INTERPRETATION OF THE DEPARTMENT OF TRANSPORTATION ACT OR INVOLVING INTERESTS OF MORE THAN ONE ADMINISTRATION WOULD, FOR EXAMPLE, BE CANDIDATES FOR REVIEW IN THE GENERAL COUNSEL'S OFFICE. WE ARE FEELING OUR WAY ALONG TO DEVELOPING THE BEST PRACTICAL PROCEDURES WITHIN THAT FRAMEWORK.

THE GENERAL COUNSEL'S OFFICE IS DIVIDED ALONG FUNCTIONAL LINES INTO FOUR SUB-OFFICES. THESE ARE THE OFFICE OF LITIGATION, THE OFFICE OF LEGISLATION, THE OFFICE OF REGULATION, AND THE OFFICE OF OPERATIONS AND LEGAL COUNSEL. EACH OFFICE IS HEADED BY AN ASSISTANT GENERAL COUNSEL.

SINCE MOST OF YOU HAVE A PRIMARY INTEREST IN THE OPERATIONS OF THE FEDERAL HIGHWAY ADMINISTRATION, I WILL TAKE A MOMENT TO DEVELOP FOR YOU HOW THE LEGAL FUNCTION WILL OPERATE THERE. THE FEDERAL HIGHWAY ADMINISTRATION HAS THREE PRINCIPAL PROGRAM RESPONSIBILITIES. THESE ARE THE BUREAU OF PUBLIC ROADS, THE MOTOR CARRIER SAFETY FUNCTION TRANSFERRED FROM THE INTERSTATE COMMERCE COMMISSION AND THE NEW MOTOR VEHICLE AND HIGHWAY SAFETY

PROGRAMS. IT IS ANTICIPATED THAT THE LEGAL FUNCTION OF EACH OF THESE MAIN PROGRAM DIVISIONS WILL HAVE HIGH LEVEL SUPERVISION WITHIN THE LEGAL STAFF OF THE FEDERAL HIGHWAY ADMINISTRATION. THE BUREAU OF PUBLIC ROADS WILL CONTINUE TO HAVE THE FINE COUNSEL OF MY GOOD FRIEND AND COLLEAGUE, DOWELL ANDERS, BUT DOWELL'S RESPONSIBILITIES WILL ALSO COVER OTHER PROGRAM EFFORTS OF THE FEDERAL HIGHWAY ADMINISTRATION. I WOULD LIKE TO STATE FOR THE RECORD THAT COMING IN AS A NEW GENERAL COUNSEL FOR A NEW DEPARTMENT, NO ONE COULD HAVE PROVIDED BETTER COOPERATION AND HELP THAN DOWELL ANDERS HAS GIVEN ME.

BEFORE LEAVING YOU THIS AFTERNOON I WOULD LIKE TO DEPART FROM THE SPECIFIC TOPIC AND OUTLINE SOME ASPECTS OF THE FUTURE ROLE THE DEPARTMENT OF TRANSPORTATION EXPECTS TO PLAY.

THERE IS CONSIDERABLE SOUL-SEARCHING THESE DAYS ABOUT THE WAYS OF GOVERNING AND ABOUT THE ROLES TO BE PLAYED BY FEDERAL, STATE AND LOCAL GOVERNMENTS. MUCH OF THE DISCUSSION SUGGESTS THAT TRADITIONAL APPROACHES TO THE PROBLEMS OF GOVERNING ARE FELT TO BE LESS THAN PERFECT.

AS PARTICIPANTS IN GOVERNMENT, YOU AND I ARE DIRECTLY CONCERNED WITH THESE QUESTIONS.

ALTHOUGH THE DEPARTMENT OF TRANSPORTATION HAS BEEN CHARGED WITH BROAD AND VARIED RESPONSIBILITIES, IF I HAD TO CHOOSE A PHRASE TO DESCRIBE THE SIGNIFICANT CHARACTERISTIC OF ITS ROLE AND STYLE OF GOVERNMENT, IT WOULD BE "POSITIVE COORDINATION."

BY THIS I MEAN THE INFLUENCING OF MORE OR LESS AUTONOMOUS EVENTS SO THAT THEY CAN BEAR SOME KIND OF ORDERED RELATIONSHIP TO EACH OTHER.

POSITIVE COORDINATION, AS A PHILOSOPHY AND STYLE OF GOVERNMENT, CONTEMPLATES NEITHER RIGID GOVERNMENT DOMINATION NOR COMPLETE HANDS-OFF. IT IS A RECIPE WHICH CALLS FOR LARGE PORTIONS OF LEADERSHIP, INTELLIGENCE, EDUCATION, UNDERSTANDING, ACTION, AND RESTRAINT.

THERE ARE AMPLE REASONS WHY THE APPROACH OF POSITIVE COORDINATION IS APPROPRIATE, INDEED, REQUIRED, IN TRANSPORTATION. FOUR OF THOSE REASONS STAND OUT:

FIRST: OUR MEANS OF TRANSPORTATION, GENERALLY SPEAKING, ARE NOT OWNED OR OPERATED BY GOVERNMENT.

AS PRESIDENT JOHNSON SAID, IN PROPOSING THE DEPARTMENT OF TRANSPORTATION ACT TO CONGRESS:

"THE UNITED STATES IS THE ONLY MAJOR NATION IN THE WORLD THAT RELIES PRIMARILY UPON PRIVATELY OWNED AND OPERATED TRANSPORTATION. THAT NATIONAL POLICY HAS SERVED US WELL."

I CAN ASSURE EACH OF YOU HERE TODAY THAT THE DEPARTMENT OF TRANSPORTATION IS COMMITTED TO CONTINUING THAT POLICY.

SECOND: DESPITE THE FACT THAT, EXCLUSIVE OF URBAN MASS TRANSIT AND THE MILITARY, ALMOST ALL TRANSPORT VEHICLES IN THIS COUNTRY ARE PRIVATE PROPERTY, THE ROUTES AND FACILITIES OVER WHICH THESE VEHICLES OPERATE ARE PUBLIC PROPERTY. SO GOVERNMENT, FEDERAL, STATE AND LOCAL, IS INEXTRICABLY BOUND INTO OUR TRANSPORTATION SYSTEM.

ALMOST ALL OF THE 94 MILLION CARS AND TRUCKS IN AMERICA ARE PRIVATELY OWNED. SO ARE THE NATION'S BARGES AND TOWBOATS, ITS AIRLINES AND ITS OCEAN-GOING VESSELS. BUT THE HIGHWAYS ARE PUBLICLY MAINTAINED, THE RIVERS AND CANALS ARE KEPT NAVIGABLE BY THE CORPS OF ENGINEERS, OUR MAJOR AIRPORTS ARE PUBLICLY MAINTAINED, AIR ROUTES

ARE ASSIGNED BY A FEDERAL AGENCY, AND THE GREAT HARBORS AND PORTS ARE A PUBLIC INVESTMENT.

THE ONE MAJOR EXCEPTION IS THE RAILROAD RIGHT OF WAY. HISTORICALLY, OF COURSE, MOST OF THE RAILROAD RIGHTS OF WAY ORIGINATED IN PUBLIC LAND GRANTS.

THIRD: THE FEDERAL GOVERNMENT ECONOMICALLY SUPPORTS VERY LITTLE OF OUR NATION'S TRANSPORTATION. THE TOTAL TRANSPORTATION INVESTMENT IN AMERICA, PUBLIC AND PRIVATE, IS IN THE NEIGHBORHOOD OF \$425 BILLION. THE TOTAL ANNUAL FEDERAL EXPENDITURE IN TRANSPORTATION IS ONLY \$6 BILLION. AS A MATTER OF FACT, STATE AND LOCAL GOVERNMENTS SPEND ABOUT TWICE AS MUCH ON TRANSPORTATION WORKS AS DOES THE FEDERAL GOVERNMENT.

FOURTH: IN MOST IMPORTANT TRANSPORTATION DECISIONS, THE FINAL RESULT IS LIKELY TO BE THE JOINT PRODUCT OF MANAGEMENT, LABOR AND FEDERAL, STATE AND OFTEN LOCAL GOVERNMENT. IT TAKES NO GREAT INSIGHT TO RECOGNIZE THAT THE DEPARTMENT OF TRANSPORTATION'S VOICE WILL BE MUTED AND FEDERAL PROGRAMS WILL FALTER IF WE DO NOT PROPERLY

RESPECT THE ROLES OF ALL THE NON-FEDERAL PARTICIPANTS IN TRANSPORTATION DECISION-MAKING.

TO SAY THE LEAST, THIS IS A CONFUSING MIX. WHAT ROLE, THEN, IS THE DEPARTMENT TO PLAY IN AN ENVIRONMENT WHERE FEDERAL ECONOMIC LEVERAGE IS COMPARATIVELY SLIGHT, WHERE OUR LEGAL AUTHORITY, IN THE REGULATORY SENSE, IS SIGNIFICANT BUT PARTIAL, WHERE WE MUST RESPECT THE DECISIONS OF BUSINESS, LABOR AND STATE AND LOCAL GOVERNMENTAL AGENCIES, AND WHERE, IN SHORT, WE CAN NEITHER GET ALL THE WAY IN NOR ALL THE WAY OUT?

IT IS HERE THAT THE CONCEPT OF "POSITIVE COORDINATION" EMERGES. IT IS A CONCEPT CONSISTENT WITH THE MISSION AND AUTHORITY CONGRESS HAS GIVEN THE DEPARTMENT. IT IS A CONCEPT CONSISTENT WITH SECRETARY BOYD'S REJECTION OF THE NOTION THAT THE DEPARTMENT WILL BE A "BIG-DADDY" TO THE TRANSPORTATION SYSTEMS OF THIS COUNTRY AND HIS RECENT AFFIRMATION THAT:

"THE DEPARTMENT WILL HAVE THE RESPONSIBILITY FOR ENCOURAGING AND PROMOTING OUR PRIVATE ENTERPRISE SYSTEM, RATHER THAN TRYING TO MOVE IN THE DIRECTION OF TAKING OVER ITS ACTIONS AND RESPONSIBILITIES. . ."

THERE IS THE WIDE RANGE OF TECHNIQUES AVAILABLE TO THE DEPARTMENT TO MAKE ITS POSITIVE COORDINATION EFFECTIVE IN THE NATIONAL INTEREST. THE DEPARTMENT MAY SIMPLY PROVIDE THE INFORMATION AND RESEARCH NECESSARY TO ENABLE THOSE OUTSIDE THE FEDERAL GOVERNMENT TO PERCEIVE THE OPTIONS AVAILABLE TO THEM. IN OTHER CASES, THE DEPARTMENT MAY TRY TO INFLUENCE THE RELATIVE ATTRACTIVENESS OF THESE OPTIONS TO THE DECISION-MAKERS. IN STILL OTHER CIRCUMSTANCES, THE DEPARTMENT MAY ITSELF MAKE A DECISION WHICH MAY HAVE EFFECTS -- RANGING FROM THE PERSUASIVE TO THE CONCLUSIVE -- UPON PEOPLE OUTSIDE THE FEDERAL GOVERNMENT.

AVAILABILITY OF ALL THE RELEVANT FACTS AND STATISTICS WILL ENABLE STATE AND LOCAL GOVERNMENTS, AND THEIR ELECTORATES, TO MAKE THE MOST INFORMED CHOICES OF TRANSPORTATION OPTIONS, FOR EXAMPLE, BETWEEN FREEWAYS OR SUBWAYS. RESEARCH AND DEMONSTRATION PROJECTS CAN PROLIFERATE THE AVAILABLE OPTIONS. THE WAY WE ADMINISTER OUR FEDERAL HIGHWAY AND AIRPORT AID PROGRAMS, OR THE DECISION TO COMMIT FEDERAL FUNDS TO DEVELOPING A

SUPersonic TRANSPORT, CAN SHAPE AND INFLUENCE, BUT CERTAINLY NOT CONTROL, THE TRANSPORTATION OPTIONS FOR BOTH COMMERCE AND LEISURE. ALL OF THESE ARE ILLUSTRATIVE OF THE TECHNIQUES OF POSITIVE COORDINATION.

THIS APPROACH CAN OPERATE AT SEVERAL LEVELS.

FIRST, COORDINATION CAN BE AN EFFECTIVE TOOL OF GOVERNMENT WITHIN A PARTICULAR MODE OF TRANSPORTATION. CARRIERS PLAINLY HAVE TO TRY TO COORDINATE THEIR FUTURE PLANNING WITH THE ANTICIPATED REQUIREMENTS OF SHIPPERS. WE THINK THAT THE DISSEMINATION OF THE STATISTICAL BASE TO SUPPORT THIS PLANNING IS AN IMPORTANT PART OF OUR MISSION AND WE HAVE ALREADY BEGUN TO DEVISE MEANS TO SUPPLY NEW TYPES OF INFORMATION.

BUT WHAT ABOUT COORDINATION WITHIN THE FEDERAL GOVERNMENT ITSELF AT THIS INTRA-MODAL LEVEL? FOR EXAMPLE, SINCE THE FEDERAL GOVERNMENT HAS DETERMINED TO COMMIT BILLIONS OF DOLLARS TO AN INTERSTATE HIGHWAY SYSTEM, IT SEEMS TO US IMPORTANT THAT REGULATORY AGENCIES ADOPT POLICIES TO PROMOTE THE USE OF THAT SYSTEM. FOR THIS REASON, THE DEPARTMENT OF TRANSPORTATION HAS

RECENTLY SUBMITTED A BRIEF IN AN ICC CASE IN AN EFFORT TO DO AWAY WITH RESTRICTIVE PRACTICES WHICH FAIL TO PROMOTE THE MAXIMUM USE OF THE INTERSTATE HIGHWAY SYSTEM BY MOTOR CARRIERS. WE EXPECT TO APPEAR FREQUENTLY BEFORE THE REGULATORY AGENCIES TO PROVIDE THEM WITH OUR VIEWS IN SUPPORT OF THE PUBLIC INTERESTS.

A SECOND LEVEL OF POSITIVE COORDINATION IS AMONG THE VARIOUS MODES OF TRANSPORTATION.

THE INTERRELATIONSHIPS BETWEEN THE MODES CONTINUE TO PROVIDE SOME OF THE MOST VEXING PROBLEMS IN TRANSPORTATION. WE ARE CONFRONTED WITH SUCH ANOMALIES AS INCREDIBLY SWIFT JET TRANSPORTATION FROM AIRPORT TO AIRPORT -- AND BUMPER-TO-BUMPER TRAFFIC JAMS FROM THE AIRPORT TO OUR DESTINATION. BECAUSE OF THESE INTER-MODAL PROBLEMS, A NEW FEDERAL CABINET-LEVEL DEPARTMENT WAS CREATED WITH A BROAD MISSION NOT ONLY IN ONE MODE, BUT IN TRANSPORTATION AS A WHOLE. ALREADY, FOR EXAMPLE, WE ARE WORKING WITH THE PRIVATE SECTOR TO DEVELOP MEANS FOR SIMPLIFYING AND COORDINATING INTERMODAL FREIGHT DOCUMENTATION SO THAT OUR INTERNATIONAL TRADE IS NOT HAMPERED BY A MOUNTAIN OF PAPERWORK.

THERE IS A FINAL LEVEL OF COORDINATION I WANT TO DISCUSS: THAT IS COORDINATION BETWEEN OUR TRANSPORTATION SYSTEM AND THE BROAD GOALS OF SOCIETY.

THE GOAL OF ALL OUR ACTIVITY IN TRANSPORTATION IS TO TRY TO MAXIMIZE THE TOTAL POTENTIAL BENEFIT OF TRANSPORTATION TO THE NATION. BUT THE ORTHODOX APPROACH HAS BEEN TO IDENTIFY THE BENEFIT TO THE PARTICIPANTS IN A PARTICULAR TRANSPORTATION PROCESS WITHOUT CONSIDERING THE IMPACT ON THOSE WHO MAY NOT APPEAR TO BE DIRECTLY INVOLVED.

FOR EXAMPLE, IN FORMULATING A HIGHWAY PROGRAM IT IS COMPARATIVELY EASY TO ASCERTAIN THE BENEFIT TO HIGHWAY USERS AND SHIPPERS. IT IS MORE DIFFICULT TO ASSESS THE LONG-RANGE NEEDS OF THE COMMUNITIES WHOSE FUTURE COMMERCIAL AND POPULATION PATTERNS MAY BE DETERMINED BY THE LOCATION OF THE ROAD, THE IMPACT ON CITIES WHICH ARE UNPREPARED FOR THE TRAFFIC INCREASE THE NEW ROAD MAY BRING, THE PRICE OF ADDED AIR POLLUTION AND THE AESTHETIC NEEDS OF OUR PEOPLE. DO WE CONSIDER WHETHER THE ROAD WILL INCLUDE FURTHER EXODUS TO THE

SUBURBS, THUS CONTRIBUTING TO THE ABANDONMENT OF THE CENTRAL CITY TO OFFICE BUILDINGS AND SLUMS.

WE ARE INCREASINGLY AWARE OF THE SUBTLE AND INDIRECT WAYS OUR TRANSPORTATION DECISIONS AFFECT THE QUALITY OF OUR LIVES.

I SUGGEST TO YOU THAT WE CAN NO LONGER COMFORTABLY VIEW QUESTIONS OF TRANSPORTATION SIMPLY IN THE CONTEXT OF MOVING PEOPLE AND GOODS.

FOR ALL OF US WHO ARE INVOLVED IN THE TRANSPORTATION DECISION-MAKING ARE NECESSARILY INVOLVED IN SOCIAL AND ENVIRONMENTAL DECISION-MAKING.

THE IMPORTANT THING IS THAT THESE DECISIONS BE ENLIGHTENED BY AN AWARENESS OF THEIR CONSEQUENCES -- THAT WE SEEK TO COORDINATE OUR TRANSPORTATION DECISIONS WITH OUR BROAD GOALS AS A SOCIETY.

THE PROBLEMS OF TRANSPORTATION ARE NOT GOING TO BE RESOLVED OVERNIGHT. WE DO NOT WRITE UPON A CLEAN SLATE. BUT THE DECISIONS WE MAKE TODAY WILL ESTABLISH THE BOUNDARIES OF OUR FUTURE FREEDOM OF CHOICE.

AN APPRECIATION OF THE REALITIES OF THE AMERICAN TRANSPORTATION SYSTEM REQUIRES A STYLE OF GOVERNMENT

WHICH WILL AFFORD AMPLE ROOM FOR DIVERSITY OF VIEWPOINT WHILE AT THE SAME TIME ENCOURAGING ALL THE PARTICIPANTS IN TRANSPORTATION TO RECOGNIZE THEIR COMMON INTERESTS. IT REQUIRES THE FEDERAL GOVERNMENT TO BE A GOOD LISTENER AS WELL AS AN ELOQUENT SPEAKER. IT MEANS PROVIDING THE FACILITIES, THE TECHNIQUES, AT TIMES THE MONEY, AND AT ALL TIMES THE OBJECTIVITY TO ALLOW THE PARTICIPANTS IN TRANSPORTATION TO HELP DEFINE AND SOLVE THEIR PROBLEMS. IT MEANS PROVIDING LEADERSHIP, FOCUS, AND DIRECTION. IT MEANS PROVIDING POSITIVE COORDINATION. THE DEPARTMENT OF TRANSPORTATION WILL DO ITS UTMOST TO PERFORM THAT ROLE.