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# GUIDES FOR TOTALLY BLIND ON AIR CARRIERS

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## HEARING BEFORE THE SUBCOMMITTEE ON TRANSPORTATION AND AERONAUTICS OF THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH CONGRESS  
SECOND SESSION

ON

H.R. 5611, H.R. 7210

BILLS TO PROHIBIT THE EXCLUSION OF DOG GUIDES FOR THE BLIND FROM CERTAIN PUBLIC CARRIERS, TRANSPORT TERMINALS, AND OTHER PLACES OF BUSINESS WHICH OPERATE IN INTERSTATE COMMERCE

H.R. 8068

A BILL TO AMEND SECTION 403(b) OF THE FEDERAL AVIATION ACT OF 1958 TO PERMIT THE GRANTING OF FREE TRANSPORTATION TO GUIDES OR SEEING-EYE DOGS ACCOMPANYING TOTALLY BLIND PERSONS

H.R. 8928

A BILL TO AMEND SECTION 403(b) OF THE FEDERAL AVIATION ACT OF 1958 TO PERMIT THE GRANTING OF FREE TRANSPORTATION TO GUIDES OR GUIDE DOGS ACCOMPANYING BLIND PERSONS AND TO ATTENDANTS OF DISABLED PERSONS

FEBRUARY 26, 1964

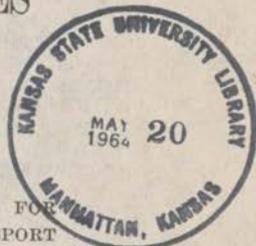
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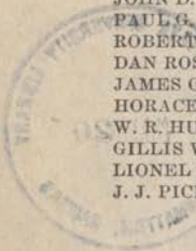
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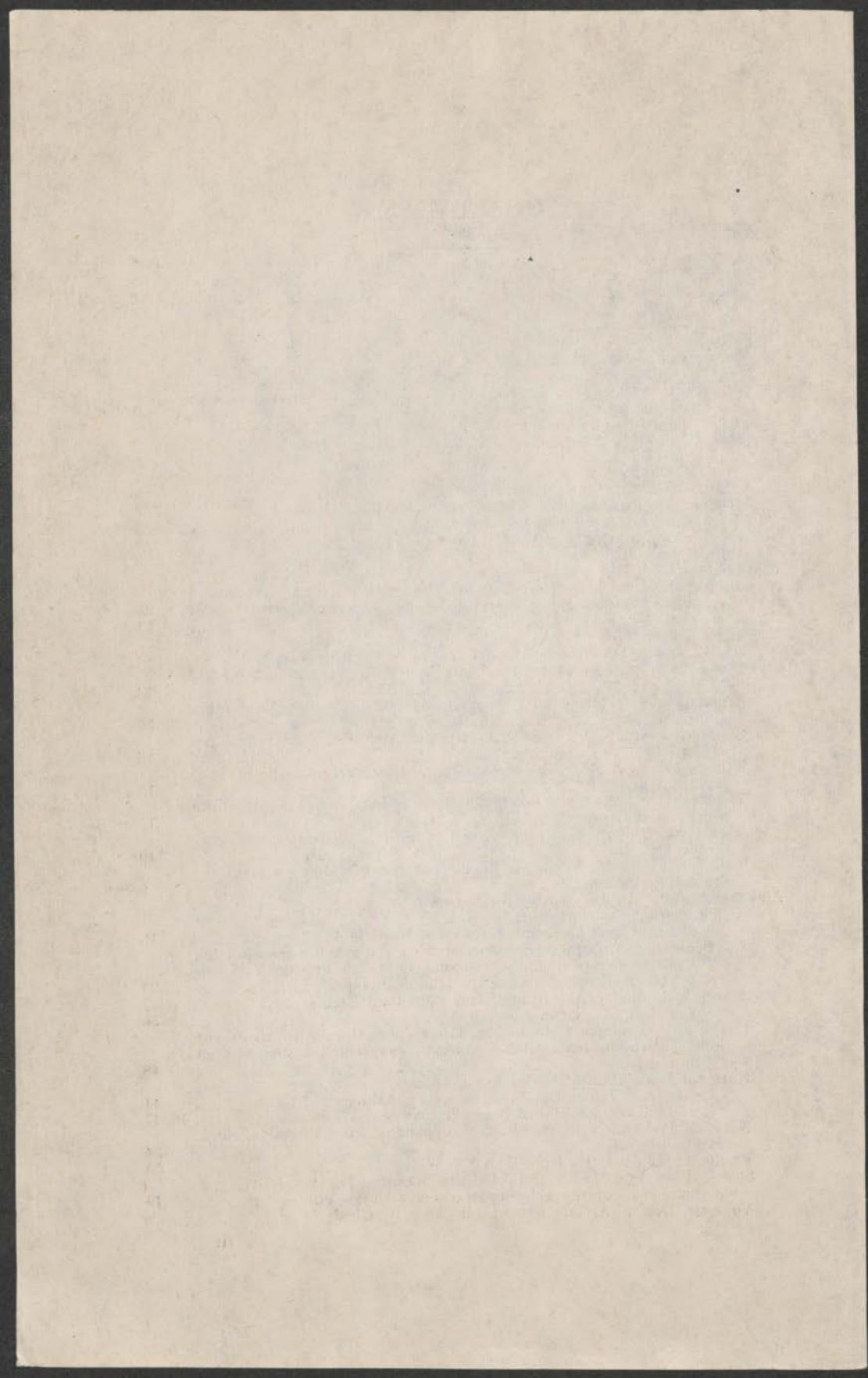
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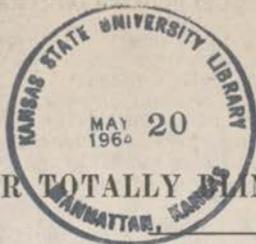
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## GUIDES FOR TOTALLY BLIND ON AIR CARRIERS

WEDNESDAY, FEBRUARY 26, 1964

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON TRANSPORTATION AND AERONAUTICS  
OF THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE,  
Washington, D.C.

The subcommittee met, pursuant to call, at 10:30 a.m., in room 1333, Longworth Building, Hon. John Bell Williams (chairman of the subcommittee) presiding.

Mr. WILLIAMS. The committee will come to order, please.

This morning, the subcommittee is holding hearings on four bills that relate to the transportation of blind persons by public carriers operating in interstate or foreign commerce. H.R. 5611, which is sponsored by Mr. Trimble, of Arkansas, and H.R. 7210, introduced by Mr. Pirnie, of New York, are identical bills. Briefly, these two bills would require the admission of a guide dog serving as a guide to blind persons to public terminals or public carriers and would provide that such dog must be carried at no extra charge.

We have H.R. 8068, introduced by our colleague, Mr. Younger, from California, which would amend the Federal Aviation Act to permit an air carrier to carry a blind person accompanied by a guide or guide dog at the fare charged for one person.

We have H.R. 8928, introduced by Mr. Weltner, of Georgia, which would amend the act to permit an air carrier to carry a blind person accompanied by a guide or guide dog or to carry a disabled person who requires and is accompanied by an attendant at the fare charged for one person.

At this point, if there is no objection, the text of these bills and agency reports on the bills will be inserted in the record.

(Bills H.R. 5611, 7210, 8068, and 8926, and reports thereon follow:)

[H.R. 5611, 7210, 88th Cong., 1st sess.]

A BILL To prohibit the exclusion of dog guides for the blind from certain public carriers, transport terminals, and other places of business which operate in interstate commerce

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) any dog serving as guide to a blind person when in the direct custody of such person, in harness, on a leash, under proper control, and identified as having been trained by a recognized dog guide school, must be permitted to remain physically with its master and admitted without extra charge to—

(1) public carriers engaged in the interstate or foreign commerce of the United States or operating under a charter or franchise granted by the Federal Government; and

(2) all transport terminals, eating establishments or other places of public accommodations which serve or operate in interstate commerce.

The use of a muzzle may be required if deemed necessary and advisable.

(b) Failure to comply with the provisions of this Act by any owner, lessee, proprietor, manager, superintendent, agent, or employee of any of the heretofore enumerated places or modes of public accommodations shall—

- (1) be punishable by a fine of not less than \$50 or more than \$500; and
- (2) create a right of action in any person whose dog guide is excluded from a public place in violation of this Act which may be enforced in any State or Federal court of competent jurisdiction, and such person shall be entitled to—
  - (A) recovery of damages sustained;
  - (B) injunctive relief; and
  - (C) the cost of the suit, including a reasonable attorney's fee, whether or not specific money damages are established.

[H.R. 8068, 88th Cong., 1st sess.]

A BILL To amend section 403(b) of the Federal Aviation Act of 1958 to permit the granting of free transportation to guides or seeing-eye dogs accompanying totally blind persons

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 403(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1373(b)) is amended by adding at the end thereof the following new sentence: "Nothing in this Act shall prohibit any air carrier or foreign air carrier from carrying any totally blind person accompanied by a guide or seeing-eye dog or other guide dog specially trained and educated for that purpose at the usual and ordinary fare charged to one person, under such reasonable regulations as may be established by such air carrier or foreign air carrier."

[H.R. 8928, 88th Cong., 1st sess.]

A BILL To amend section 403(b) of the Federal Aviation Act of 1958 to permit the granting of free transportation to guides or guide dogs accompanying blind persons and to attendants of disabled persons

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 403(b) of the Federal Aviation Act of 1958 (49 U.S.C. 1373(b)) is amended by adding at the end thereof the following new sentence: "Nothing in this Act shall prohibit any air carrier or foreign air carrier from carrying any blind person and accompanying guide or guide dog specially trained for that purpose, or from carrying any disabled person and attendant, if such person is disabled to the extent of needing such attendant, at the usual and ordinary fare charged to a single passenger, under such reasonable regulations as may have been established by such air carrier or foreign air carrier."

EXECUTIVE OFFICE OF THE PRESIDENT,  
BUREAU OF THE BUDGET,  
Washington, D.C., February 25, 1964.

HON. OREN HARRIS,  
*Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Longworth House Office Building, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reply to your request for the views of the Bureau of the Budget on H.R. 5611, to prohibit the exclusion of dog guides for the blind from certain public carriers, transport terminals, and other places of business which operate in interstate commerce.

In letters to this office presenting their views on the bill, the Department of State recommends that the bill's applicability to foreign air carriers be clarified and the Civil Aeronautics Board suggests that the bill be modified so as to recognize circumstances where compliance would be impracticable or impossible. Copies of these letters are enclosed.

Subject to consideration of the above suggestions, the Bureau of the Budget would have no objection to enactment of the proposed legislation.

Sincerely yours,

PHILLIP S. HUGHES,  
*Assistant Director for Legislative Reference.*

DEPARTMENT OF STATE,  
Washington, May 17, 1963.

KERMIT GORDON,  
Director, Bureau of the Budget.

DEAR MR. GORDON: I refer to your legislative referral memorandum of April 17, 1963, requesting the views of the Department of State on H.R. 5611, a bill to prohibit the exclusion of dog guides for the blind from certain public carriers, transportation terminals, and other places of business which operate in interstate commerce, introduced by Representative James W. Trimble of Arkansas.

The Department of State does not foresee any foreign relations problems arising from the application of the provisions of this bill to surface shipping. However, the wording of the bill does not clearly indicate whether it is to apply to foreign air carriers serving points in the United States. The term "public carriers" leads to this ambiguity. Section 101 of the Federal Aviation Act of 1958 defines the term "air carrier" as "any citizen of the United States who undertakes \* \* \* to engage in air transportation," the term "foreign air carrier" as "any person, not a citizen of the United States, who undertakes \* \* \* to engage in foreign air transportation," and the term "public aircraft" as "an aircraft used exclusively in the service of any government \* \* \* but not including any government-owned aircraft engaged in carrying persons or property for commercial purposes." In light of this ambiguity, we would recommend appropriate clarification. It is our understanding that Representative Trimble did not intend the bill to apply to foreign air carriers.

The Department of State has no objections to this proposed bill on foreign policy grounds.

Sincerely yours,

FREDERICK G. DUTTON,  
Assistant Secretary  
(For the Secretary of State).

CIVIL AERONAUTICS BOARD,  
Washington, D.C., May 22, 1963.

HON. KERMIT GORDON,  
Director, Bureau of the Budget,  
Washington, D.C.

DEAR MR. GORDON: This is in reply to your legislative referral memorandum of April 17, 1963, requesting the Board's views with respect to H.R. 5611, a bill to prohibit the exclusion of dog guides for the blind from certain public carriers, transport terminals, and other places of business which operate in interstate commerce.

H.R. 5611 provides that any dog serving as guide to a blind person when in direct custody of such person, in harness, on a leash, under proper control, and identified as having been trained by a recognized dog guide school, must be permitted to remain physically with its master and admitted without extra charge carriers engaged in the interstate or foreign commerce of the United States, or operating under a charter or franchise granted by the Federal Government. The use of a muzzle may be required if deemed necessary. Failure to comply with the provisions of the bill would be punishable by a fine, and would give the person whose dog was excluded a right of action for damages and injunctive relief. Air carriers would appear to be included within the scope of the term "public carriers."

In general, air carriers have made provision under existing tariffs for the free transportation of seeing eye dogs under circumstances similar to those provided for in the bill. A typical tariff containing rules and regulations governing virtually all scheduled interstate air transportation of passengers contains the following rule:

"Carrier accepts for transportation without charge, a dog trained to lead the blind, properly harnessed, when it accompanies a passenger with impaired vision dependent upon such dog. The dog will be permitted to accompany said passenger into the cabin, but will not be permitted to occupy a seat."

Representative tariffs of carriers engaged in foreign air transportation also contain the substance of the foregoing rule, except that such tariffs provide that transportation will not be furnished where (1) entry requirements of countries to which passage is scheduled have not been complied with, and (2) it would be impracticable to provide such transportation because of operating conditions or type of aircraft. Supplemental air carrier tariff rules also provide

for the free transportation of seeing eye dogs when in the opinion of the carrier it is practicable to permit such carriage.

The Board believes that the exceptions contained in the tariffs of carriers engaged in foreign air transportation are reasonable and a proper exercise of management discretion. Moreover, the Board knows of no difficulties arising out of such exceptions or the limitation in the supplemental air carrier tariff rules. There would not, therefore, appear to be any necessity for the legislation insofar as air transportation is concerned.

Despite this lack of apparent need, the Board does not object to H.R. 5611. It does believe, however, that the bill should be modified so as to give recognition to instances where the type of aircraft used, or quarantine or other restrictions would make it impracticable if not impossible for the air carrier to comply with the requirements thereof.

Sincerely yours,

ALAN S. BOYD, *Chairman.*

INTERSTATE COMMERCE COMMISSION,  
OFFICE OF THE CHAIRMAN,  
Washington, D.C., February 25, 1964.

HON. OREN HARRIS,  
*Chairman, Committee on Interstate and Foreign Commerce,  
House of Representatives,  
Washington, D.C.*

DEAR CHAIRMAN HARRIS: Your letter of April 12, 1963, addressed to the Chairman of the Commission and requesting comments on a bill, H.R. 5611, introduced by Congressman Trimble, to prohibit the exclusion of dog guides for the blind from certain public carriers, transport terminals, and other places of business which operate in interstate commerce, has been referred to our Committee on Legislation. After consideration by that committee, I am authorized to submit the following comments on those provisions of the proposed measure which relate to surface transportation.

H.R. 5611 would require public common carriers engaged in interstate commerce or operating under a Federal charter or franchise, and transport terminals, eating establishments, or other places of public accommodations serving or operating in interstate commerce, to admit without charge and permit to remain with its master "any dog serving as guide to a blind person when in the direct custody of such person, in harness, or a leash, under proper control, and identified as having been trained by a recognized school." The use of a muzzle could be required if deemed necessary and advisable. Violations would be punishable by a fine of not less than \$50 or more than \$500. In addition, the bill would create a right of action in any person whose dog guide is unlawfully excluded from a public place in violation of the act, which right could be enforced in any State or Federal court of competent jurisdiction.

Carriers regulated by the Commission are generally prohibited by law from furnishing free transportation but there are a number of specific exemptions. Much of the free transportation authorized may be characterized as for charitable or humane purposes but in no case is a carrier required by law to provide free transportation. See sections 1(7), 22(1), 217(b) and 306(c) of the Interstate Commerce Act (49 U.S.C. 1(7), 22(1), 317(b), and 906(c)). In particular section 22(1) provides, in pertinent part, that a carrier may transport a totally blind person accompanied by a guide *or seeing eye dog or other guide dog specially trained and educated for that purpose* at the usual and ordinary fare charged to one person under such reasonable regulations as may have been established by the carrier. The italicized language was added to the act in 1937 after rejection of the compulsory approach embodied in the present bill.

Clearly, H.R. 5611 has a worthy and humane purpose. However, we question the wisdom of departing from the permissive approach to free transportation embodied in the act. In addition, a serious constitutional question may be raised as to the power of Congress to enact legislation compelling common carriers to provide free transportation.

Respectfully submitted,

ABE MCGREGOR GOFF,  
*Chairman, Committee on Legislation.*  
RUPERT L. MURPHY.

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,

March 11, 1964.

HON. OREN HARRIS,

*Chairman, Committee on Interstate and Foreign Commerce,  
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This letter is in response to your request of April 12, 1963, for a report on H.R. 5611, a bill to prohibit the exclusion of dog guides for the blind from certain public carriers, transport terminals, and other places of business which operate in interstate commerce.

The bill would provide that any dog being actually used as a guide by a blind person which is properly leashed, harnessed, controlled, and identified as being trained by a recognized dog guide school must be permitted to remain physically with his master and admitted without extra charge to public carriers, transport terminals, and eating establishments involved in interstate commerce.

The bill also authorizes fines of from \$50 to \$500 for persons who fail to comply with its provisions, and creates a right of action through which any blind person whose dog guide is excluded from any public place in violation of the provisions of the bill may receive damages and injunctive relief.

As rehabilitated blind persons take an ever more active part in the economic and social life of the Nation, it is essential for them to use public carriers, terminals, hotels, and restaurants. Some of these blind persons make use of carefully trained dog guides to get about efficiently and safely. Training and selection techniques developed over the past 35 years by such organizations as the Seeing Eye, Inc., of Morristown, N.J., assure not only that the dogs will be good guides for their masters but also when properly handled they are safe, well disciplined, and present no problems to the public.

More than two-thirds of the States have enacted laws which guarantee dog guides and their masters access to hotels and restaurants. This Department favors the enactment of legislation to assure that in all situations blind persons and their trained dog guides would have the right to use public transportation and other accommodations in interstate commerce with freedom and safety.

We are advised by the Bureau of the Budget that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,

ANTHONY J. CELEBREZZE,  
*Secretary.*


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U.S. DEPARTMENT OF JUSTICE,  
OFFICE OF THE DEPUTY ATTORNEY GENERAL,  
*Washington, D.C., February 25, 1964.*

HON. OREN HARRIS,

*Chairman, Committee on Interstate and Foreign Commerce,  
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice on H.R. 5611, a bill to prohibit the exclusion of dog guides for the blind from certain public carriers, transport terminals, and other places of business which operate in interstate commerce.

Section 22 of the Interstate Commerce Act of 1887, as amended (50 Stat. 475; 49 U.S.C. 22), gives common carriers authority to carry "any totally blind person accompanied by a guide or seeing eye dog or other guide dog specifically trained and educated for that purpose \* \* \* at the usual and ordinary fare charged to one person, under such reasonable regulations as may have been established by the carrier \* \* \*". Public Law 330 of the 77th Congress (55 Stat. 796; 40 U.S.C. 291) provides for the admission of guide dogs accompanied by blind masters "to any building or other property owned or controlled by the United States, upon the same terms and conditions, and subject to the same regulations as generally govern the admission of the public to such property."

The bill provides that a dog guide for blind persons, when in the direct custody of a blind person and under proper control, and identified as a dog trained for such guidance by a recognized dog guide school, must be permitted to remain with its master and be admitted without extra charge to public carriers engaged in interstate or foreign commerce or operating under a charter or franchise granted by the Federal Government, and to all transport terminals, eating establishments, or other places of public accommodation which serve or operate in interstate commerce. Failure by an owner, lessee, or employee of such facilities

to comply would be punishable by a fine and would create in any person whose dog is excluded a right of action for recovery of damages and injunctive relief.

The Department of Justice has no objection to the enactment of this legislation. The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

NICHOLAS DEB. KATZENBACH,  
*Deputy Attorney General.*

EXECUTIVE OFFICE OF THE PRESIDENT,  
BUREAU OF THE BUDGET,  
*Washington, D.C., November 4, 1963.*

HON. OREN HARRIS,  
*Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Longworth House Office Building, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reply to your request for the views of the Bureau of the Budget on H.R. 8068, a bill to amend section 403(b) of the Federal Aviation Act of 1958 to permit the granting of free transportation to guides of seeing-eye dogs accompanying totally blind persons.

The Civil Aeronautics Board, in its report to your committee on this bill, objects to authorizing free transportation of persons serving as guides for the blind and recommends that the bill, if enacted, be amended to provide that any free transportation of such persons be on a space-available basis.

Subject to consideration of the amendment recommended by the Civil Aeronautics Board, this office would have no objection to enactment of the proposed legislation.

Sincerely yours,

PHILLIP S. HUGHES,  
*Assistant Director for Legislative Reference.*

CIVIL AERONAUTICS BOARD,  
*Washington, D.C., November 8, 1963.*

HON. OREN HARRIS,  
*Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in further reply to your letter of August 19, 1963, requesting the Board's comments with respect to H.R. 8068, a bill to amend section 403(b) of the Federal Aviation Act of 1958 to permit the granting of free transportation to guides or seeing-eye dogs accompanying totally blind persons.

H.R. 8068 provides that nothing in the Federal Aviation Act shall prohibit any air carrier or foreign air carrier from carrying any totally blind person accompanied by a guide or seeing-eye dog or other guide dog specially trained for that purpose at the usual and ordinary fare charged to one person, under such reasonable regulations as may be established by the carrier. It appears that the bill is intended to cover not only dogs but also persons serving as guides for blind persons.

In general, air carriers have made provision under existing tariffs for the free transportation of seeing-eye dogs under circumstances similar to those provided for in the bill. A typical tariff containing rules and regulations governing virtually all scheduled interstate air transportation of passengers contains the following rule:

"Carrier accepts for transportation without charge, a dog trained to lead the blind, properly harnessed, when it accompanies a passenger with impaired vision dependent upon such dog. The dog will be permitted to accompany said passenger into the cabin, but will not be permitted to occupy a seat."

Representative tariffs of carriers engaged in foreign air transportation also contain the substance of the foregoing rule. Tariff rules of supplemental air carriers also provide for the free transportation of seeing-eye dogs when in the opinion of the carrier it is practicable to permit such carriage.

There would not, therefore, appear to be any necessity for the legislation insofar as the carriage of seeing-eye dogs is concerned. However, the Board does not object to this aspect of H.R. 8068 since carriers will be able to continue existing practices in this respect.

The Board does not, however, recommend the enactment of those provisions of the bill designed to permit the carriage without charge of persons serving

as guides for the blind. It is true that rail, motor, and water common carriers are permitted by the Interstate Commerce Act to carry without charge attendants for blind persons. However, the seating problems of surface carriage are not generally as critical as those encountered by air carriers, especially in peak traffic times. Consequently, free transportation by air for such attendants could be a source of potential net revenue loss to air carriers. In the event that legislation of this nature is enacted, provision should be made, as in the case of ministers of religion under section 403(b), that the free carriage of such persons will be on a space available basis.

The Board has been advised by the Bureau of the Budget that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

ALAN S. BOYD, *Chairman.*

---

EXECUTIVE OFFICE OF THE PRESIDENT,  
BUREAU OF THE BUDGET,  
Washington, D.C., December 5, 1963.

HON. OREN HARRIS,  
*Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Longworth House Office Building, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reply to your request for the views of the Bureau of the Budget on H.R. 8928, a bill to amend section 403(b) of the Federal Aviation Act of 1958 to permit the granting of free transportation to guides or guide dogs accompanying blind persons and to attendants of disabled persons.

The Civil Aeronautics Board, in its report to your committee on this bill, objects to provisions authorizing free transportation of persons serving as guides for the blind persons serving as attendants for disabled persons. The Board recommends that the bill, if enacted, be amended to provide that any free transportation of such persons be on a space-available basis.

Subject to consideration of the amendment recommended by the Civil Aeronautics Board, this Office would have no objection to enactment of the proposed legislation.

Sincerely yours,

PHILLIP S. HUGHES,  
*Assistant Director for Legislative Reference.*

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CIVIL AERONAUTICS BOARD,  
Washington, D.C., December 3, 1963.

HON. OREN HARRIS,  
*Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reply to your letter of November 1, 1963, requesting the Board's comments with respect to H.R. 8928, a bill to amend section 403(b) of the Federal Aviation Act of 1958 to permit the granting of free transportation to guides or guide dogs accompanying blind persons and to attendants of disabled persons.

H.R. 8928 provides that nothing in the Federal Aviation Act shall prohibit any air carrier or foreign air carrier from carrying any blind person accompanied by a guide or guide dog specially trained for that purpose, or from carrying any disabled person and attendant, if such person is disabled to the extent of needing such attendant, at the usual and ordinary fare charged to a single passenger, under such reasonable regulations as may be established by the carrier.

In general, air carriers have made provision under existing tariffs for the free transportation of seeing-eye dogs under circumstances similar to those provided for in the bill. A typical tariff containing rules and regulations governing virtually all scheduled interstate air transportation of passengers contains the following rule:

"Carrier accepts for transportation without charge, a dog trained to lead the blind, properly harnessed, when it accompanies a passenger with impaired vision dependent upon such dog. The dog will be permitted to accompany said passenger into the cabin, but will not be permitted to occupy a seat."

Representative tariffs of carriers engaged in foreign air transportation also contain the substance of the foregoing rule. Tariff rules of supplemental air

carriers also provide for the free transportation of seeing-eye dogs when in the opinion of the carrier it is practicable to permit such carriage.

There would not, therefore, appear to be any necessity for the legislation insofar as the carriage of seeing-eye dogs is concerned. However, the Board does not object to this aspect of H.R. 8928 since carriers will be able to continue existing practices in this respect.

The Board does not, however, recommend the enactment of those provisions of the bill designed to permit the carriage without charge of persons serving as guides for the blind, or as attendants for disabled persons. It is true that rail, motor, and water common carriers are permitted by the Interstate Commerce Act to carry without charge attendants for blind persons and disabled persons. However, the seating problems of surface carriage are not generally as critical as those encountered by air carriers, especially in peak traffic times. Consequently, free transportation by air for such attendants could be a source of potential net revenue loss to air carriers. In the event that legislation of this nature is enacted, provision should be made, as in the case of ministers of religion under section 403 (b), that the free carriage of such persons will be on a space-available basis.

The Board has been advised by the Bureau of the Budget that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely yours,

ALAN J. BOYD, *Chairman.*

FEDERAL AVIATION AGENCY,  
OFFICE OF THE ADMINISTRATOR,  
Washington, D.C., December 7, 1965.

HON. OREN HARRIS,  
*Chairman, Committee on Interstate and Foreign Commerce,  
House of Representatives,  
Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reply to your request for the views of this Agency with respect to H.R. 8928, a bill to amend section 403 (b) of the Federal Aviation Act of 1958 to permit the granting of free transportation to guides or guide dogs accompanying blind persons and to attendants of disabled persons.

Inasmuch as granting free air transportation to guides, guide dogs, and attendants for those needing them has no safety implications and the impact of this legislation would therefore appear to be solely economic, we defer to the views of the Civil Aeronautics Board on this bill.

The Bureau of the Budget has advised that there is no objection from the standpoint of the administration's program to the submission of this report to your committee.

Sincerely,

N. E. HALABY, *Administrator.*

Mr. WILLIAMS. Our first witness this morning is our colleague on the Committee on Interstate and Foreign Commerce, Mr. Younger, from the State of California, who is the sponsor of one of these bills.

Mr. Younger, we are very happy to have you before the committee and we shall be very happy to receive your testimony.

#### STATEMENT OF HON. J. ARTHUR YOUNGER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. YOUNGER. Thank you, Mr. Chairman. I am appearing on behalf of my own bill, H.R. 8068. The purpose of this legislation is to give to a blind person the same rates that he enjoys now in traveling by train or by bus or by inland waterways. It is a simple piece of legislation to amend the Federal Aviation Act to accomplish that purpose.

I would like to read from a letter, a copy of which was sent to me. The letter is from the Pacific Air Lines, Inc., signed by C. A. Myhre, executive vice president, and is addressed to Stuart G. Tipton. Just one paragraph is this says:

The Pacific Airlines is definitely in favor of this legislation. For this reason, we would not want to see the ATA oppose this legislation at the forthcoming hearing.

I can well understand why the endorsement here from the Pacific Air Lines, because of the accident which occurred to one of their captains, Oscar W. Cleal. At one time, a man in his plane tried to hijack the plane just as it was ready to leave the airport and Captain Cleal intercepted or stopped the act and the man shot the captain and as a result, he became blind. It was at the suggestion of Captain Cleal, that I introduced the legislation.

Now, I would like to have included a letter from Captain Cleal—

Mr. FRIEDEL. How does he spell his name?

Mr. YOUNGER. C-l-e-a-l.

Mr. WILLIAMS. Let it be included in the record.

(The document referred to follows:)

MENLO PARK, CALIF., February 20, 1964.

Congressman J. ARTHUR YOUNGER,  
*House of Representatives,*  
*Washington, D.C.*

DEAR MR. YOUNGER: I have this date received notice of public hearing on H.R. 8068 from W. E. Williamson, clerk of the Committee on Transportation and Aeronautics, announcing that the hearing on this bill will be held Wednesday, February 26, 1964, at 10 a.m. Would you please make this letter a part of the record at the above-mentioned hearing.

For some 15 years prior to July 31, 1961, I flew as captain for Pacific Air Lines of San Francisco, Calif. My flying career came to a close on that date when an armed sky-jacker attempted to take control of my aircraft at Chico, Calif. During the encounter, I was blinded.

During the year that followed, I began studies necessary to prepare myself for entrance into the investment securities business, and it was during this period that I became acquainted with the work of the American Foundation for the Blind. A great service performed by the foundation resulted from their successful campaign completed in 1927 whereby an Interstate Commerce Commission amendment was added to provide a blind person traveling with a companion guide to travel on one ticket on over 130 railroads and on over two dozen buslines. I have included with this letter a booklet describing the privilege, as well as two sample travel coupon books and an ID card.

In my letter to you of August 3, 1963, I embarked on a similar campaign with the airlines, and, as a result of that letter, you were kind enough to introduce H.R. 8068. I am well aware of the tariff regulations and the acts which permit interline fare discounts and free transportation for airline employees and their families. I would like to see the airlines of the United States provide a similar free—nonrevenue, space available—privilege for the companion guide who accompanies a ticketed full fare blind person. To insure acceptability and implementation by the Nation's airlines, the "space available" privileges may well be subject to a service charge that covers paperwork, ticketing, and meals. This standard procedure currently prevails for airline employees and their families, and the charges range from \$2 to \$10 depending on distance. The enclosed ID card, issued by the American Foundation for the Blind, verifying legal blindness, could well be used for the airlines as well as its current use on the railroads and buses.

I sincerely hope that the members of the committee will find this bill highly commendable, and will recommend its passage by the House.

Respectfully yours,

OSCAR W. CLEAL.

Mr. WILLIAMS. When did this event occur?

Mr. YOUNGER. It was about 2 years ago, as I recall.

Mr. FRIEDEL. Right before we passed the hijacking bill.

Mr. WILLIAMS. I realize that, but I did not realize that Captain Cleal had been blinded as a result of that.

Mr. YOUNGER. Yes; he is blind as a result of that. He was a captain on the Pacific Air Lines.

Now, included in his letter is the type of book that is issued by the American Foundation for the Blind in regard to both rail travel and on bus travel. I would like to have those exhibits introduced. It is not necessary that they go into the record, but for the files of the committee.

Mr. WILLIAMS. Let them be received for the files.

(The material referred to will be found in the files of the committee.)

Mr. YOUNGER. That is about all that I have to say. I feel strongly that the blind citizens ought to have the same privilege of traveling by air that they enjoy by rail, bus, and inland waterway. That is the only purpose of the legislation. Unless there are some questions—

Mr. WILLIAMS. Mr. Friedel, do you have some questions?

Mr. FRIEDEL. No questions.

The only question I did want to ask is, you say a dog or a person to accompany the blind person?

Mr. YOUNGER. Yes, a person or a dog.

Mr. WILLIAMS. Mr. Younger, who determines whether a person requires the services of an attendant?

Mr. YOUNGER. That I could not answer. I think you will have witnesses here that can give you that information, because they have already experienced travel of that kind and they are here to testify for that purpose.

Mr. WILLIAMS. The reason I asked the question: I have a friend here in Washington who is almost blind. He has difficulty getting around by himself, but he does manage to do so. In my opinion, he could qualify to carry an attendant with him. Ordinarily, he does not use an attendant. Would there be anything in this bill that would prohibit my going along with him as an attendant on trips to Mississippi and getting our fare at half price? I ask the question seriously, not facetiously.

Mr. YOUNGER. Well, as I say, there are witnesses who will testify, but I think that that is left to the association. They issue these books and I imagine they issue the books only to the people that have the necessity of either being accompanied by a person or a seeing-eye dog.

Mr. WILLIAMS. Mr. Hemphill, do you have any questions?

Mr. HEMPHILL. Yes, Mr. Chairman.

I notice in your bill that you provided usual and ordinary fare charged to a single passenger under such reasonable regulations as may be established by such air carrier or foreign air carrier. I gather from that that there will be no charge for a seeing-eye dog?

Mr. YOUNGER. That is the purpose of the bill. It is simply to extend the same privilege that they enjoy now in traveling by train, bus, or inland waterway.

Mr. WILLIAMS. Will the gentleman yield?

Mr. HEMPHILL. Certainly.

Mr. WILLIAMS. Mr. Younger, have you studied the act to the point where you could advise us whether or not the law now prohibits the carriage of a seeing-eye dog without cost?

Mr. YOUNGER. Well, no, not to that extent, I could not say. But it is my understanding from talking with the legislative department which prepared this bill that that is true. The present act would prohibit such travel, unless they get special permission from the CAB, because there is no affirmative provision. Their rates and all—

Mr. WILLIAMS. Presumably, that would have to be done in each case.

Mr. YOUNGER. Now, under the bill, I would say that in each case, they would probably have to do it and the airline would have to concur.

Mr. HEMPHILL. Well, the thing that concerned me a little bit—I ride tourist all the time on airlines when I can, because it is more expensive to ride first class. Whenever any children are along, my recollection is that I have paid half fare for a child.

Mr. YOUNGER. That is in the schedule now, under 12.

Mr. HEMPHILL. And I am not—

Mr. WILLIAMS. Are you sure of that?

Mr. HEMPHILL. Well, it has a certain age limitation.

Mr. YOUNGER. As I recall, it is 12 years. I may be wrong in that.

Mr. HEMPHILL. The reason I recollect so clearly, the last time I had my little boy up here, we had to hold a drunk who was trying to get to the cockpit and I was up in the front seat and I paid a half fare for my little boy and a drunk came running up their trying to get in the cockpit.

This is quite beyond the point here, but the thought occurred to me, would there be a penalty do you think, if, because a space would be taken, half fare were charged for the attendant? If the attendant came along, I assume full fare would be charged under your bill; is that right?

Mr. FRIEDEL. No; it would be free.

Mr. YOUNGER. This is granting exactly the same privilege that they enjoy already on trains, buses, and inland waterways, which grants a free passage to the accompanying person or to a seeing-eye dog.

Mr. HEMPHILL. It is apparent what your purpose is, but I wanted it to be clear that you intend for the person or the animal to have the privilege of proceeding without charge?

Mr. YOUNGER. That is right.

Mr. FRIEDEL. Mr. Younger, you use the words "totally blind."

Mr. YOUNGER. As I understand, that is exactly the same wording that is used in the Transportation Act.

Mr. FRIEDEL. And Mr. Weltner's bill, H.R. 8928, says "carrying any blind person." It does not use the word "totally."

What I am trying to bring out is that one bill might take care of a person, the one that the chairman was speaking of, who is not totally blind or could hardly see but who could classify as blind. But your bill says "totally blind."

Mr. YOUNGER. As I understand, in my talk with the legislative counsel, I asked them to draft this bill and follow exactly the same lines as followed in the bill permitting the transportation on rails.

Mr. FRIEDEL. Thank you, sir.

Mr. HEMPHILL. Let me pursue this a little further.

Suppose they have a sellout, which they do often on some of the lines, or at least they claim they do. If they do not, they will make you wait until the next plane. Your bill does not provide it, but Mr. Trimble's and Mr. Weltner's provide a very severe penalty, a fine of not less than \$50 or more than \$500.

Would you object to our putting in the legislation, "on a space available basis" as a condition?

Mr. YOUNGER. I think we ought to follow exactly the same provision that is followed in the Transportation Act. We did the same thing, if you will recall, the same privilege was granted to ministers about 2 or 3 years ago. A bill came out of our committee. Prior to that, ministers had no privilege on air travel that they had on travel by bus or train or inland waterways. So we corrected that situation. We corrected it for the ministers. I think we ought to correct it for the blind.

Mr. FRIEDEL. If I am correct, I think for ministers it is not mandatory.

Mr. YOUNGER. But we passed it exactly as it was on the rails.

Mr. FRIEDEL. Oh, I see.

Mr. WILLIAMS. Will the gentleman yield?

Mr. FRIEDEL. Yes.

Mr. WILLIAMS. At this point, I think it might be well to quote from a letter received from the Chairman of the Civil Aeronautics Board reporting on your bill. They say:

In general, air carriers have made provision under existing tariffs for the free transportation of seeing-eye dogs under circumstances similar to those provided for in the bill. A typical tariff containing rules and regulations governing virtually all scheduled interstate air transportation of passengers contains the following rule:

"Carrier accepts for transportation without charge, a dog trained to lead the blind, properly harnessed, when it accompanies a passenger with impaired vision dependent upon such dog. The dog will be permitted to accompany said passenger into the cabin, but will not be permitted to occupy a seat."

They say:

Representative tariffs of carriers engaged in foreign air transportation also contain the substance of the foregoing rule. Tariff rules of supplemental air carriers also provide for the free transportation of seeing-eye dogs when in the opinion of the carrier it is practicable to permit such carriage.

There would not, therefore, appear to be any necessity for the legislation insofar as the carriage of seeing-eye dogs is concerned. However, the Board does not object to this aspect of H.R. 8928 since carriers will be able to continue existing practices in this respect.

Now, we get over to the other aspect of this, the "carriage of an attendant."

The Board does not, however, recommend the enactment of those provisions of the bill designed to permit the carriage without charge of persons serving as guides for the blind, or as attendants for disabled persons. It is true that rail, motor, and water common carriers are permitted by the Interstate Commerce Act to carry without charge attendants for blind persons and disabled persons. However, the seating problems of surface carriage are not generally as critical as those encountered by air carriers, especially in peak traffic times. Consequently, free transportation by air for such attendants could be a source of potential net revenue loss to air carriers.

Here is the key sentence in here, I think:

In the event that legislation of this nature is enacted, provision should be made, as in the case of ministers of religion under section 403(b), that the free carriage of such persons will be on a space available basis.

What would be your thought about putting this on a space available basis as far as the free carriage of guides?

Mr. YOUNGER. I think it would be up to the subcommittee to decide that. I would prefer that the bill be passed giving the same rights that they have and enjoy on the rails. I think this question of space available is wrong. I think that the question of leaving it to the rules and regulations is the same problem we have had with the FCC. This is a matter that ought to be in the legislation. It ought not to be subject to rules of the FAA or the CAB. It should be a matter of legislative right of the Congress. Or to say that the carriers are willing to give this privilege—I do not think we ought to leave it to the carriers. I think it ought to be a part of the legislation.

Mr. WILLIAMS. I would think that the committee will not have much difficulty with that particular part of the bill that deals with the free carriage of seeing-eye dogs. Our problem is going to be the question of the accompanying guides.

Mr. DEVINE. Would the chairman yield?

Mr. WILLIAMS. Surely.

Mr. DEVINE. I apologize for not being here right at the start of the hearing. I hope you have not gone into this.

Mr. YOUNGER, have you gone into the question of whether any animals, any pets, are permitted in the passenger part of the aircraft that are not caged? As I understand, at least under present regulations, any animal, pet or otherwise, is caged when in the passenger area. Perhaps somebody knows about this.

Mr. YOUNGER. I think that is true. However, a seeing-eye dog, in my opinion, is an animal that is very well trained.

Mr. DEVINE. Probably conducts himself better than a lot of persons.

Mr. YOUNGER. That is right, and you would not have to hold him, as Mr. Hemphill says, and he will not get drunk and try to get into the cockpit.

Mr. HEMPHILL. I have had a bill for years about drinking on airlines. It can be a dangerous thing.

Mr. DEVINE. I am raising this merely as a question. Do you know whether this is a regulation by FAA edict or by statute?

Mr. YOUNGER. I could not answer that. I know that I have seen cats and small dogs carried on the plane, but they have always been in cages. I think that is beside the question. I think you have here a specially trained animal.

Mr. DEVINE. Perhaps someone here from the airlines could tell us whether that is by company rule or by FAA regulation or something else.

Mr. WILLIAMS. They can answer some of these questions.

Are there further questions?

(No response.)

Mr. WILLIAMS. Thank you very much, Mr. Younger.

Mr. YOUNGER. Thank you.

Mr. WILLIAMS. Our next witness is the Honorable Alexander Pirnie.

**STATEMENT OF HON. ALEXANDER PIRNIE, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF NEW YORK**

Mr. PIRNIE. Mr. Chairman, I would like to submit my statement for the record. Could I make one comment off the record?

Mr. WILLIAMS. Yes, you may. Off the record.

(Discussion off the record.)

Mr. WILLIAMS. Mr. Pirnie, the question has come up—as a matter of fact, it was suggested by the Civil Aeronautics Board that if the committee should approve this, they would prefer that the space for human guides, be given on a space available basis. Would you have any objection to modifying this proposal to that extent?

Mr. PIRNIE. Certainly not. It is just to try to solve it practically and I would like the help of the committee, who can appreciate some of the other problems that are involved in common carriers. It is just to have the subject dealt with effectively. I would be glad to have it amended to meet the situation.

Mr. WILLIAMS. Thank you very much. We appreciate the interest you have shown in this and I hope that something may come of the work that you have put into it and that other Members of Congress have put into it. I think you are to be commended for calling this to the committee's attention.

Mr. PIRNIE. I appreciate your courtesy very much.

(The complete statement of Hon. Alexander Pirnie follows:)

**TESTIMONY OF REPRESENTATIVE ALEXANDER PIRNIE, 32D DISTRICT, NEW YORK**

Mr. Chairman, thousands of visually handicapped and blind citizens throughout our Nation depend upon dog guides. The seeing-eye dog has given hope and freedom to these individuals by permitting them to travel with confidence without a friend's helping hand.

Regrettably, these fine, well-trained animals are now excluded from many public carriers, transport terminals and other places of business which operate in interstate commerce. This situation is an embarrassment and inconvenience to the blind and constitutes an unnecessary burden to those who are already seriously handicapped. In brief, it prevents them from leading normal lives. Moreover, this restriction on freedom and travel lessens their capacity to earn a livelihood for them and their families. I have in mind the case of a young lady from my congressional district who was offered and accepted a Federal job in Washington, D.C. Because of existing prohibitions against her seeing-eye dog, invoked by places of public accommodation and many common carriers, she has been subjected to considerable inconvenience while living in and traveling to and from our Nation's Capitol.

A guide dog and a blind individual should be treated as a single person in interstate travel.

It is now the announced policy of the executive branch of our Government to offer every employment opportunity to the visually handicapped and favorable action on the proposed legislation would be a consistent corollary to this objective. Therefore, I am hopeful that this committee will consider favorably H.R. 7210 and related bills.

Mr. WILLIAMS. Our next witness is our colleague from Arkansas, the Honorable J. W. Trimble. Mr. Trimble, we will be glad to hear you at this time.

**STATEMENT OF HON. J. W. TRIMBLE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARKANSAS**

Mr. TRIMBLE. Mr. Chairman and members of the subcommittee, I appreciate the opportunity to speak to you today in support of H.R. 5611. I would like to give you the background situation which caused me to introduce the bill.

A few years ago one of my young constituents came to Washington to work as a lawyer for one of the Government agencies. I had known this lad—Davis Duty—all his life. While a small child, he lost his eyesight, and he has been blind ever since. Davis attended the University of Arkansas, had a Fulbright scholarship to study in England for a year, then returned to the university school of law to obtain his degree in law; later he was employed by the Justice Department.

Davis uses a guide dog. As part of his job with the Justice Department here in Washington, he was required to visit other Federal buildings. In one building, he was not allowed to take his dog with him—the dog was allowed in the building but not to stay with him. Since Davis is very independent, this upset him since it meant some other person would have to guide him back to the place the dog was kept.

In order to try to prevent this happening again to anyone who uses a guide dog, I introduced H.R. 8382 on July 27, 1961. The title of the bill: "A bill to prohibit the exclusion of dog guides for the blind from public buildings, lands, or other places of business." As reports began to come in from the various departments, it developed there was already a law on the books to allow guide dogs to be admitted to public buildings and public grounds. This was Public Law 330, 77th Congress, approved December 10, 1941 (40 U.S.C. 291).

This law covers only Government-owned buildings and grounds, however. H.R. 5611 was introduced by me on April 10, 1963, to extend the coverage to public carriers and terminals. I hope the committee can report favorably either my bill or a bill containing the same general provisions.

Mr. WILLIAMS. Are there any questions? If not, we appreciate your appearance and testimony, Mr. Trimble.

Mr. TRIMBLE. Thank you, Mr. Chairman.

Mr. WILLIAMS. The next witness is the sponsor of another bill, our colleague from Georgia, the Honorable Charles Longstreet Weltner. Mr. Weltner, we are glad to welcome you, and you may proceed.

**STATEMENT OF HON. CHARLES LONGSTREET WELTNER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF GEORGIA**

Mr. WELTNER. Mr. Chairman and members of the committee, I wish to express my appreciation for the opportunity to ask support for my bill, H.R. 8928. I have carefully reviewed the discussions that were held at the first session of these hearings. Certainly, there is merit to some of the arguments advanced by those who spoke in opposition. However, it would appear that certain factors should be stressed.

Under the terms of my bill, no air carrier is required to furnish free transportation to a guide, attendant, or seeing-eye dog. The bill is permissive in nature. It would simply permit a carrier to adopt tariffs embodying free carriage.

Secondly, the bill would not, of itself, determine the question raised as to "space available." It would appear that a carrier, with passage of my bill, would be free to provide carriage on a space-available basis. There is, indeed, a greater seating problem for air transportation than that of surface transportation. For that reason, it might very well be completely appropriate for the space available provision to be applicable to guides, attendants, and seeing-eye dogs.

One further matter—my bill applies not only to the blind, but to disabled persons. The latter is a broad category. There is greater difficulty in properly defining the term "disabled person" than the term "blind person." For this reason, it might well be appropriate for the committee to limit the scope of my bill to guides and seeing-eye dogs for blind persons.

May I respectfully request your favorable consideration?

Mr. WILLIAMS. Are there any questions? If not, thank you for your appearance and testimony, Mr. Weltner.

Mr. WELTNER. Thank you, Mr. Chairman.

Mr. WILLIAMS. Our next witness is Mr. Jack Slichter, vice president of traffic of the ATA.

Mr. Slichter?

#### STATEMENT OF JACK M. SLICHTER, VICE PRESIDENT, TRAFFIC, AIR TRANSPORT ASSOCIATION OF AMERICA

Mr. SLICHTER. Mr. Chairman, members of the committee, my name is Jack Slichter. I am vice president of traffic of the Air Transportation of America.

Our membership consists of substantially all of the certificated scheduled U.S.-flag airlines. I appreciate the opportunity to appear before this committee and present the views of the majority of our carriers on H.R. 8068, H.R. 8928, H.R. 7210, and H.R. 5611.

One of our carriers, Pacific Air Lines, who does not share these views, is presenting a separate statement from which you have already heard quotations. These bills deal with the subjects of guides and guide dogs for the blind, attendants to disabled persons and the presence of guide dogs on transportation media and in public places.

I would like at the outset to make one point crystal clear. The airlines are extremely conscious of the special needs of the blind and incapacitated and of the industry's obligations to exert unusual efforts to accommodate them so that they may enjoy the benefits of air travel.

To this end, we have, for a period of years, had special provisions to facilitate their travel on the airlines. If the legislation under discussion were designed to render assistance where no assistance is provided, we could better understand the possible need for legislation.

Mr. WILLIAMS. May I interrupt at that point?

Mr. SLICHTER. Yes, sir.

Mr. WILLIAMS. You take virtually the same position as the Civil Aeronautics Board with respect to that part of the Younger bill, which has to do with seeing-eye dogs?

Mr. SLICHTER. Yes, sir.

Mr. WILLIAMS. In other words, you do not think it is necessary to have that kind of legislation, because you already have that, in effect, by regulation or policy statements or what have you?

Mr. SLICHTER. Exactly.

Mr. WILLIAMS. Do you see any harm to be done by the enactment of legislation dealing with that one specific item?

Mr. SLICHTER. I do not see any harm. My only point, Mr. Chairman, is that it is unnecessary, because my testimony, I think, will bring out that that regulation or that tariff rule referred to by the Chairman of the Board is even stronger than he describes it.

Mr. WILLIAMS. Yes. Thank you, sir.

Mr. SLICHTER. I was just pointing out that if the legislation under discussion were designed to render assistance where no assistance is provided, we could naturally better understand the possible need for legislation.

However, as my testimony will develop, that is not the case.

H.R. 5611 and H.R. 7210 are identical. They would require that any dog serving as a guide to a blind person must be permitted to remain with its master and admitted without extra charge to public carriers engaged in the interstate or foreign commerce of the United States, or operating under a federally granted charter or franchise, and to all transport terminals, eating establishments or other places of public accommodations serving or operating in interstate commerce.

Such requirement is conditioned on the dog being in the direct custody of the blind person it is guiding, in harness, on a leash, under proper control, identified as having been trained by a recognized dog guide school, and, when deemed necessary and advisable, muzzled. Failure to comply with these requirements subjects the owner, lessee, proprietor, manager, superintendent, agent or employee of the establishment refusing admission to a monetary fine and creates a right of action, enforceable in State or Federal courts, entitling the aggrieved person to recover damages or obtain injunctive relief plus costs, including a reasonable attorney's fee.

To the extent that H.R. 5611 and H.R. 7210 would apply to the air transport industry, they are, as will be shown, wholly unnecessary. If these bills are to be enacted into law, specific provision should be made excluding air carriers from their operation.

The airlines are acutely aware of their public service responsibilities and most sensitive to the needs of those members of the traveling public who, because of physical misfortune, require a helping hand. Many years ago, the airlines formalized their attitude on the blind by filing a tariff with the Civil Aeronautics Board under the terms of which air carriers transport free of charge any dog trained to lead the blind when accompanied by its master. It is respectfully requested that a copy of this tariff be inserted in the record at this point.

Mr. WILLIAMS. Is that the same thing that was quoted in the letter?

Mr. SLICHTER. Yes, sir.

Mr. WILLIAMS. All right; then let it be received.

(The document referred to follows:)

ATB No. 19  
CAB No. 43

AIR TRAFFIC CONFERENCE OF AMERICA—LOCAL AND JOINT PASSENGER RULES TARIFF  
No. PR-4

SECTION I—GENERAL

*Rule 8. Dogs trained to lead the blind*

Carrier accepts for transportation, without charge, a dog trained to lead the blind, properly harnessed, when it accompanies a passenger with impaired vision dependent upon such dog. The dog will be permitted to accompany such passenger into the cabin, but will not be permitted to occupy a seat. In addition, AA and PAA require that the dog be properly muzzled.

Mr. SLICHTER. Such dogs are permitted in the cabin of the airplane—and I might say not in a cage. There has never been the requirement that a seeing-eye dog in a cabin be caged, and although they are not assigned a seat, they are located so as never to be outside their master's reach. Usually, you will see these dogs lying at the feet of their master, in the space between seats.

As you know, such a tariff lawfully filed with the CAB becomes a part of the contract of carriage between the carrier and the passenger which is enforceable in the courts. As I said, the airlines, in the discharge of what they felt to be their responsibility, voluntarily adopted this tariff many years ago. It is in effect today and will remain so.

Thus, the mandates contained in H.R. 5611 and H.R. 7210 are not needed in commercial aviation.

H.R. 8068 would amend the Federal Aviation Act of 1958 by adding a new provision to section 403(b) thereof authorizing air carriers and foreign air carriers to transport without charge any dog trained as a seeing-eye dog accompanying any totally blind person, or, any guide acting as such a companion.

As indicated previously, we presently carry guide dogs free of charge pursuant to a legally enforceable tariff. That section of H.R. 8068 relating to such carriage, therefore, is unnecessary.

We feel that legislation requiring the airlines to transport free of charge a human guide accompanying a blind person is also unnecessary, but for different reasons.

Mr. WILLIAMS. May I interrupt at that point? In reading that sentence, I think you will find that H.R. 8068 does not require the airlines to do this, but rather provides that nothing in the act shall prevent the airlines from doing it. In other words, as I understand the bill, it is permissive legislation so that it will be at the discretion of the airlines as to whether they will do this. I would presume, probably, that competition would require it, but the law, as it is proposed by 8068, does not make it mandatory.

Mr. SLICHTER. This is on the seeing-eye dog; yes.

Mr. WILLIAMS. No; it is on the guide proposition. It simply adds a new sentence to the present act which states, "Nothing in this Act shall prohibit any carrier or foreign air carrier from carrying any totally blind person or guide" and so forth. I just wanted to call that to your attention.

Mr. SLICHTER. Our feeling that this particular legislation is unnecessary as regards the accompanying human guide is, of course, for different reasons.

Mr. WILLIAMS. Yes.

Mr. SLICHTER. The airlines are proud, and I think justifiably so, of the systems and procedures they have established among themselves for the handling of persons suffering a physical disability. And these procedures have been established on an interline basis. By that I mean not by carriers individually, but among them as a group so as to provide uniformity in handling and to insure that should a disabled person transfer from one airline to another in the course of a through flight, he is provided by each succeeding carrier with whatever special service is needed. In the case of a blind person, his dog is permitted to accompany him. Whether he has a dog or not, he is assisted by airline personnel—we could put in parentheses there, qualified attendants, as opposed to merely an attendant—from the checkin counter at the airport to his seat on board the aircraft.

Once on board, he is under the attentive eye of the flight attendant who is trained to provide him with extraordinary care. Finally, he is assisted by these attendants in deplaning and guided by airline ground personnel into the terminal building or ground transportation facility.

If I may digress for a moment, it seems to us that it is not en route that the attendant is needed. In that case, we provide an experienced attendant. The similarity between air travel and surface travel, we believe, is grossly exaggerated. There is a time element here. This is one of the basic advantages of air travel, that because of the shortness of duration of the trip, certain of these additional services are not needed.

I can recognize where on a train trip of several days, certain other requirements are bound to make that assistance necessary. In the air, this is not required. I think this is one of the basic advantages of air travel.

Actually, in the case of a blind person, if all the transportation of the attendant were free, he would still have other expenses on an extended trip by surface transportation. We consider it as one of the advantages of air travel that we provide this and that expense of that nature is not needed.

No possibility of inconvenience is overlooked. It is customary practice for the airline with a blind person on board to appropriately alert each stopover station along the route of flight so that arrangements can be made for the care of the blind passenger. The same procedure is employed among different carriers should such passenger's itinerary include a connecting flight on a different airline.

The airlines have perfected these handling procedures to the extent where it has been described as easier for a blind person to fly from Washington to San Francisco, making stops along the way, than it is for him to cross any street leading into this building. For these reasons, we feel that a human guide is wholly unnecessary, and, if such a guide does accompany a blind person, then the ordinary fare should be paid. We are therefore opposed to H.R. 8068.

Mr. WILLIAMS. Before you leave 8068, what would be your feeling about a bill that would provide, a permissive bill amending H.R. 8068, which is a permissive bill, to provide that this could be done on a space-available basis?

Mr. SLICHTER. For the attendant?

Mr. WILLIAMS. Yes.

Mr. SLICHTER. My answer to that, Mr. Chairman, would be that I believe this committee, and certainly the Civil Aeronautics Board, has been very careful to control the issuance of any reduced and free transportation because of what it can lead to. I think on that basis, I would have to say that the permissive aspect would be enough to open the door for that kind of development, which I believe I am right in saying that this committee has, on previous occasions, rather strongly guarded against.

Mr. WILLIAMS. Without meaning to be argumentative, a handicapped person who requires a prosthesis is not a whole person, in a sense, without that prosthesis. Of course, there are exceptions, but particularly in the case of a blind person. The dog, I would think, would stand instead of a prosthesis. He would be a prosthesis in a sense. If a dog is not available, then a human guide would be a prosthesis. So it would appear to me that there is a very valid argument for the transportation of a person who requires a prosthesis in permitting him to take that prosthesis along so it will be with him when he arrives.

Maybe I am going too deeply into this, but a person is permitted to carry crutches if necessary; a person is permitted to carry a wheelchair. I would think that surely on a space availability basis the position of the airlines would not be too much in opposition to the proposal here.

Mr. SLICHTER. Mr. Chairman, on that score, as an employee of the airlines, I have traveled space available for the last 20 years and so has my family. This is an uncertain type of travel at best.

Mr. WILLIAMS. I realize that.

Mr. SLICHTER. I only submit that we feel our providing of a qualified guide from the time they enter our facility until they leave it is better than an unqualified guide for whatever relief of responsibility some people might interpret that to mean. I think here it is better that we accept the responsibility.

As I go on here, I get into this a little bit. We take special care to define who and with what degree of incapacitation can successfully fly. When we do that, then we take the responsibility. I think this procedure puts the incapacitated person in safer and more qualified hands.

Mr. WILLIAMS. I would not argue that at all about the treatment that the airlines give while in transit. The difficulty here is that this person is without his prosthesis after he leaves the terminal.

Well, quite frankly, I have had a little experience in that myself, back during the war when I had to travel on crutches and had to have an attendant while I was traveling. I was treated nicely while I was on the trains—that was in the days of the trains—but once I got into the station, I was utterly helpless—I mean after I left the custody of the carrier, you might say. It was then that I needed my attendant, not while I was on the train. Fortunately, I came

out of that all right, but I have a great deal of sympathy for a person who finds himself in that condition.

Mr. SLICHTER. I would only submit, Mr. Chairman, that admittedly your problem in the terminal could be monumental. I thought I emphasized that our custody leads him right to that means of transportation on the ground or, of course, if he is met by friends and relatives, to that point to where he is headed to a destination where, obviously, contacts exist.

Not at the point of the aircraft, but right to the next step. Should I continue?

Mr. WILLIAMS. Surely; proceed. I am sorry I interrupted you.

Mr. SLICHTER. Similar considerations compel us to oppose H.R. 8928. It would do what H.R. 8068 proposes and, in addition, authorize free air transportation for attendants to certain disabled persons. Again, practical reasons for our position, rather than technical ones, prevail, although I am advised that the lawyers may have considerable difficulty should they be asked to tell us when "such person is disabled to the extent of needing such attendant."

I have talked a good deal about our manner of providing care and assistance to the blind. But our efforts have not fallen short of consideration for all disabled travelers. Our provisions for aiding such persons are indeed elaborate. They have been developed over the years on a purely voluntary basis and out of humanitarian motives rather than legal requirements.

Only recently has an airline-sponsored committee consisting of physicians, flight operations personnel, and passenger service experts concluded efforts at improving our procedures. This group worked closely with the President's Committee on Employment of the Handicapped. The Chairman of the President's Committee, the CAB, the Paralyzed Veterans of America and others have expressed their satisfaction and appreciation for the airlines' procedures under which physically handicapped persons are assisted in air travel. I do not believe I need add the degree of satisfaction that that gives us. There is nothing more rewarding.

I ask that there be included in the record at this point a joint announcement by Gen. Melvin J. Maas, Chairman of the President's Committee on Employment of the Handicapped, and Stuart G. Tipton, president of the Air Transport Association, that all U.S. scheduled airlines have adopted standardized criteria for transporting the handicapped on their routes.

I have this document here.

Mr. WILLIAMS. It may be included.

(The document referred to follows:)

SCHEDULED AIRLINES ADOPT STANDARDIZED CRITERIA FOR TRANSPORTING THE  
HANDICAPPED

The President's Committee on Employment of the Handicapped and the Air Transport Association announced that all U.S. scheduled airlines have adopted standardized criteria for transporting the handicapped on their routes.

The announcement was made by Maj. Gen. Melvin J. Maas, U.S. Marine Corps Reserve, retired, Chairman of the President's Committee, and Stuart G. Tipton, president of the Air Transport Association.

In a joint statement they said: "The establishment and implementation of these criteria are milestones that will benefit the handicapped and the scheduled airlines because they set fair, uniform, and reasonable standards for the accept-

ance of the handicapped as passengers. This will facilitate the use of this country's scheduled airlines not only by those handicapped persons who must travel long distances in connection with their work but by handicapped persons who are traveling for pleasure."

As a result of the adoption of the uniform standards, a handicapped person accepted by one airline as a passenger now has reasonable assurance that if his trip requires him to transfer to another flight of the same or a different airline en route, he will be accepted on the continuing portion of the trip. In addition, the criteria spell out the services which are to be provided the handicapped and the types of handicapped persons who should not be accepted as passengers.

The Air Transport Association Medical Committee, comprised of the medical directors of the U.S. scheduled airlines, also was heartened by the criteria because this is the first time the airlines and their medical directors had guidelines on who should or should not fly and under what controls the handicapped should use commercial air transportation.

Prior to the adoption of the criteria last month each carrier had varying standards by which handicapped persons were accepted as passengers.

The new uniform standards are based on medical criteria developed by the Aerospace Medical Association's Committee on Medical Criteria for Passenger Flying, under the chairmanship of O. B. Schreuder, M.D., medical director of Pan American World Airways. These standards have been implemented by the airlines in cooperation with the Air Transport Association, the President's Committee, and Civil Aeronautics Board.

**Mr. SLICHTER.** In brief outline, air carrier regulations set up certain medical criteria which, when met, assume that disabled passengers will be accepted for transportation without attendants. These criteria were developed by the Committee on Medical Criteria for Passenger Flying of the Aerospace Medical Association. It serves as a guide so that a medical doctor may readily advise his patient whether or not to travel as a passenger on a regularly scheduled commercial flight.

For their part, the airlines have established certain standards of acceptability in order to insure the comfort and safety of the disabled traveler and all other passengers on the airplane. These relate to such problems, for example, as diseases which create conditions within the confined space of an airplane cabin wholly incompatible with the comfort of others. Obviously, if it is impossible for any other passenger to travel on a particular flight because of the condition of a diseased person, the airlines cannot transport such person. Attempt has been made to define these cases, so that others who do not fall in them are properly accommodated.

Thus it can be seen that the carriage of disabled persons is not something new to the airlines which the Congress ought to delimit by Federal legislation. The transportation by air of such unfortunates is, in fact, so common that many air carriers have purchased equipment specially designed to assist such persons. I would like to digress on that for a minute. I have had the privilege of serving on committees where they not only purchased equipment but assisted in the design of such equipment, such as the stair chair designed to transport a person from the ground level up the steps of an airplane, with no stepping sensation whatever, plus being narrow enough to go along the aisle of the aircraft.

No additional charge is imposed for the use of special equipment or the rendition of special services. In the light of these elaborate provisions, we feel that any person whose handicap is of such nature that the airlines will accept him for transportation in the first instance can be so transported without an attendant. Our reason, I have already mentioned, of course, is that we feel we have an experienced attendant.

If, however, because of other considerations, such as companionship or needs after arrival at point of destination, the disabled person desires to travel by air with an attendant, such companion should then pay the usual and ordinary fare for such transportation.

As I said at the outset, the airlines have not been insensitive to their public service responsibilities. They have reacted in a most useful manner, as demonstrated by the approval of doctors, disabled persons, and the President's Committee on the Employment of the Handicapped. They have taken action, I might add, on a purely voluntary basis. Hence they feel that there is no need for a Federal law, enforceable by criminal penalties, appear to force them to do that which they already do and requiring them to further do that which, due to their established practices, is unnecessary.

Thank you very much.

Mr. WILLIAMS. Mr. Slichter, thank you very much. In the setting of these hearings and in the consideration of these bills, I hope that no inference will be drawn that there is an implied criticism of the manner in which the airlines have handled this problem. Quite frankly, I think the airlines have done a magnificent job in coping with this problem. I have seen blind persons and handicapped persons taken on board aircraft and taken off of aircraft and handled expertly and with the greatest care. This is by no means intended as criticism.

But I recognize also that there are practical problems that handicapped people face and particularly blind people, blind people being in a sort of special category as far as I am concerned and I feel that you feel the same way.

Whenever a blind person must travel, if he does not have a seeing-eye dog, he must have somebody to go with him to guide him. That handicaps him in that he feels it is his responsibility to foot the expenses of that guide. So that a handicapped person who requires the services of an attendant is even further handicapped by the requirement that he must foot the expenses. I feel that the airlines in this instance might well give serious consideration to permitting guides, human guides, to receive transportation either free or at a reduced fare.

Now, the subject of reduced fares has not entered the discussion here. What would be the position of the ATA with respect to that?

Mr. SLICHTER. Well, I believe, Mr. Chairman, this is not really a question with us of the loss of revenue. It really is not.

Mr. WILLIAMS. I realize that.

Mr. SLICHTER. It is a question of the principle of whether the blind person is properly and expertly taken care of. Our point is that we believe that while in our custody, we think he is in expert hands, with or without a dog. Because with a seeing-eye dog, the dog will prevent the blind person from hurting himself, but he does not lead him to the correct airplane or what have you. So we provide and must provide the attendant from the minute he hits our premises throughout, until he is back on the proper transportation that he needs on the ground at the other end.

So in answer to your question, I would be forced to say that we have not even considered this as a matter of revenue at all.

Mr. WILLIAMS. If there were a requirement in this legislation by law that airlines carry guides or seeing-eye dogs, I would agree with the

premise. But since this is permissive legislation, what possible objection could there be to permitting an air carrier to do this? They do not have to if they do not want to.

I would presume the competition would take care of that.

Mr. SLICHTER. Competition would, Mr. Chairman, and then, of course, really, the same argument applies leading to the position that this committee has taken before. You open that door which you have carefully guarded, and which, incidentally, has protected the industry, again not from the revenue standpoint, but from sheer abuse. Our point is that even the permissive aspect is just the beginning. Not that any future legislation would make it any worse. The actions based on just that permission in itself would start the problem, I believe.

Mr. WILLIAMS. Mr. Friedel?

Mr. FRIEDEL. You practically asked the same question I want to ask about half fare for a guide. I can understand that in some cases they need a guide with them, because a seeing-eye dog would not be able to take them to their destination after they have reached the terminal. They might be in a strange city. I think some consideration should be given when they have a guide with them. The human ought to be given some consideration on the reduced fare.

Mr. WILLIAMS. Mr. Devine?

Mr. DEVINE. I think Mr. Slichter made it quite clear that the flight carriers are not concerned with the economic factors here whatsoever; it is just the precedent that might be set and the abuses that could result therefrom.

Mr. SLICHTER. We would not take that position unless we felt that completely adequate protection and guidance were provided.

Mr. DEVINE. Without law?

Mr. SLICHTER. Yes. If that were not the case, then, of course, it would give a whole new slant on the legislation entirely.

Mr. WILLIAMS. I suppose you take the case that once this is done, then the paraplegics will come in, then after the paraplegics, then it might get down to the point where the ill person carrying a nurse, or maids for children might come in.

Mr. SLICHTER. I can submit a long list and you get into the Armed Forces and proceed in many different directions. In the case of paraplegics, I have had a great deal of experience. The work between the carriers and the paraplegics—this was mostly from Long Beach to Rochester—has resulted in their being some of the best passengers we have, completely provided for, the machinery working beautifully, just beautifully.

Mr. WILLIAMS. I am still inclined in my own mind, though, to put a blind person in a different category from a paraplegic. But I can certainly understand your fears.

Any further questions?

(No response.)

Mr. WILLIAMS. Thank you very much.

Our next witness is Mr. Oliver Bacon, executive director, Blinded Veterans Association.

Mr. Bacon?

STATEMENT OF OLIVER C. BACON, EXECUTIVE DIRECTOR,  
BLINDED VETERANS ASSOCIATION

Mr. WILLIAMS. I believe we have a copy of a statement, Mr. Bacon, that has been submitted and we will let that be included in the record at this point, if that be your desire.

Mr. BACON. Yes, sir.

(The document referred to follows:)

STATEMENT OF OLIVER C. BACON, EXECUTIVE DIRECTOR, BLINDED VETERANS  
ASSOCIATION

Mr. Chairman and members of the committee, the Blinded Veterans Association is pleased to have the opportunity to testify on H.R. 8068, a bill designed to amend section 403(b) of the Federal Aviation Act of 1958 to permit the granting of free transportation to guides or seeing-eye dogs accompanying totally blind persons.

At the Blinded Veterans Association's 18th Annual Convention, assembled in the city of Columbus, Ohio, on August 6 to 10, 1963, the following resolution was unanimously adopted stating that our organization do whatever possible to negotiate for free transportation to guides and seeing-eye dogs accompanying blinded persons on air carriers.

"Whereas, more than 10 years ago the Blinded Veterans Association inaugurated talks with the Air Transport Association in the hope of getting a two-for-one concession for plane travel in the United States similar to that enjoyed by blind persons on bus and train travel; and

"Whereas this proposition was never followed up in the proper manner with the result that it has remained dormant these many years in spite of the fact that several of the larger air lines were kindly disposed toward such an arrangement: Now, therefore, be it

*Resolved*, That the Blinded Veterans Association take steps to reopen negotiations with the Air Transport Association with a view of obtaining travel concessions on airlines for all blind persons similar to the privileges enjoyed on buses which is a straight two-for-one concession; and be it further

*Resolved*, That such travel arrangements be made with the cooperation of the American Foundation for the Blind as administered by them along the same lines that they now handle all other travel books."

The element of time is as important to the blind in the professions and business as it is to the sighted person, and many times the double expense involved in having a guide accompany him causes the blind to seek cheaper but much slower methods of transportation. The granting of free transportation to guides and seeing-eye dogs accompanying blind people on air carriers would increase the mobility and the activities of the blind in general.

Mr. BACON. Mr. Chairman, members of the committee, I am Oliver Bacon, the executive director of the Blinded Veterans Association. As you will read in my statement, the Blinded Veterans Association, at their 18th annual convention in Columbus, Ohio, in August of 1963, unanimously passed the resolution that is included in the statement. I cannot quote the resolution verbatim, but in essence, it is stated that some 10 years ago we started the negotiations with the Air Transport Association to try to provide for this 2-for-1 fare concession which we now enjoy on our railroads, buses, and inland waterways. The followup and the negotiations for this were not completed. So for these 10 years, it had lain dormant. At the convention, the convention assembled requested that we do all in our power to bring these negotiations to a satisfactory and a successful completion.

So the Blinded Veterans Association and their board of directors have instructed me to testify in favor of 8068, this bill to provide the human guide and the seeing-eye dog on the air carrier, and foreign air carrier lines.

The statement, as I have written it, goes further to state that the problem of this economic factor in providing the fare for your guide, where we require and where we wish a human guide to go with us, the economic factor of footing the bill, so to speak, has caused many, of the blind to seek the cheaper but of course the much slower transportation. In a case where you wish to fly, we will say, from Los Angeles to Chicago, the double transportation costs would be so much that it would force them to go to the railroad, which would take, at its best, 39 hours, which is a considerably long time.

The period of time for the blind is just as important as it is to the sighted person and to the blind who are in business or in professions, the airlines are the only way to travel. The provision of the human guide is quite important insofar as your comfort in the cabin is concerned, as well as going through the terminal and eventually to your transportation outside the terminal and on into the city.

Now, that is about all I have to say. If there are any questions, I shall be most happy to answer them.

MR. WILLIAMS. Mr. Bacon, you have heard the testimony of the representative of the Air Transport Association expressing their opposition to the enactment of legislation along these lines. You have heard his explanation of the manner in which the airlines handle these cases when a blind person appears in the terminal as a passenger of one of the airlines.

MR. BACON. That is right.

MR. WILLIAMS. Your problem, as I understand it, is not so much while you are in custody of the air carrier but at the beginning and end of your flight, is that not correct?

MR. BACON. Quite true, yes, sir. The problem also, we have found, and I have personally found this, the problem will arise when we are riding, especially myself, whenever I take an airline and I go the tourist or coach class. We find, of course, that if your plane is quite full, you have perhaps only two or three girls to handle this entire cabin load of people. Many times, when we have a specific problem that we have to take care of, we cannot get the attention of the stewardess to help. Many times we are rather reluctant to do it because of the fact that we know she has quite a few other people to take care of and we would rather not bother her.

In the problem of eating aboard the plane, it has provided many hard experiences insofar as finding your food and doing all of the processes that go into feeding yourself aboard the plane, the determination of where the food is on the plate and how everything is located on it.

Actually, the problem lies—personally, the problem with the blind is we have had extremely fine service from the airlines, from the personnel, the passenger service representatives, in disembarking from the plane and from the terminal into the airplane. But in the case of where you go from your baggage pickup, from that point on, many times it becomes extremely difficult. The airline terminal personnel or the airline passenger men will leave us at the baggage,

the spot where you pick up your baggage, and from there on it is up to you to pick up your air cap, your baggagemen, to help you get your baggage to the limousine or to the cab or wherever it is. This is really where we do have the most problems.

Mr. WILLIAMS. What would be your feeling about putting this on a space-available basis for the guide?

Mr. BACON. Yes, this the Blinded Veterans Association would certainly not be opposed to, because we can see that whereas in their peak situations with the airlines, this could create a hardship in the one extra seat being taken up; however, I am not too sure that there would be too many, actually too many blind persons on one specific flight, we will say, or even a daily series of flights, whereas to create a great deal of revenue loss even if it were not on a space-available basis. However, the railroads have this in effect. However, if they are in the periods, in the vacation period, we will say, from Memorial Day to Labor Day, why, then you have to take a lesser train or you may travel on a space-available basis.

Mr. WILLIAMS. How many blind people do we have in the country, do you know?

Mr. BACON. I really do not know. I think perhaps some of the other gentlemen, some of the other witnesses could tell you better.

Mr. WILLIAMS. Do you know what percentage of the blind would have seeing-eye dogs?

Mr. BACON. No.

Mr. WILLIAMS. Would it be a small percentage? Or would it be substantial?

Mr. BACON. I would presume it would be a small percentage, as compared with the overall percentage of the blind in the country; yes.

Mr. WILLIAMS. Mr. Friedel?

Mr. FRIEDEL. Are seeing-eye dogs expensive?

Mr. BACON. Most usually they are provided for free, with no cost to the blind person. Most usually some of your service organizations, your Lions Clubs, in the case of the veteran, of course, the Veterans' Administration pays for the cost.

Many of the seeing-eye and the guide dog schools have provisions in a trust fund for these people who have not the economic background to pay for them. They are provided a dog without charge.

Mr. FRIEDEL. Do you think your association would look favorably on a reduced rate for your human guide?

Mr. BACON. Well, I do not know.

Mr. WILLIAMS. It would be better than what you have, would it not?

Mr. BACON. Well, yes; it would be. Actually, this is the thing. We have found that the double fare, of course, is our biggest block. And I am sure it is to all blind people when they travel. The benefits, of course, in a 4-hour flight or 4½-hour flight, we will say, from Washington to San Francisco, should outweigh, I suppose, the economic, but many times if you do not have the finances, it cannot outweigh it.

Mr. FRIEDEL. That is all, Mr. Chairman.

Mr. WILLIAMS. Mr. Devine?

Mr. DEVINE. I have no questions, Mr. Chairman.

Mr. WILLIAMS. Mr. Hemphill?

Mr. HEMPHILL. I had to leave here. I had an appointment and I missed Mr. Slichter's testimony, but I assume you heard it, did you not?

Mr. BACON. Yes, sir.

Mr. HEMPHILL. I believe he takes the position for ATA that under present conditions and tariff rules of the Civil Aeronautics Board, the people who have the misfortune to be blind are given extraordinary care whenever they board the aircraft. Do you feel that they are or not?

Mr. BACON. You mean given the extraordinary care?

Mr. HEMPHILL. Yes, sir.

Mr. BACON. On every occasion when I, myself, have gone, I have been given excellent care. Now the only one thing that you could perhaps say insofar as a qualified person in handling the blind, there is a correct way in guiding the blind and there is an incorrect way. Unless a person has had some type of training, most usually they will always guide the blind person the wrong way. This does lead to a series of complications until you can get it worked out. It is not insurmountable, but in many cases it is.

Mr. HEMPHILL. Do you find that the group that you represent finds that these young ladies who are stewardesses on the airlines and the airlines personnel in general have the know-how that you would hope for?

Mr. BACON. Yes; some of them have the know-how. Unfortunately, some of them have even more know-how than you really require. Many of them, rather than just assist you, mother you and it sometimes leads to rather—

Mr. HEMPHILL. You might object to that, but I would not.

Mr. BACON. Well, it sometimes leads to some rather embarrassing situations, but, however, in the main, it is excellent service, no question.

Mr. HEMPHILL. They take the position which you heard expressed here, that there is no need for a Federal law insofar as the seeing-eye dogs are concerned, do you feel there definitely is a need for a law?

Mr. BACON. As to the seeing-eye dog, I am not too familiar with them. Many of our—in fact, probably the majority—we have very few in our membership for the Blinded Veterans Association who have the seeing-eye dog. Of those who do have the seeing-eye dog, not too many of them are traveling. So I am really not too sure concerning our organization and the seeing-eye dog. Now I have had—

Mr. WILLIAMS. What is the membership of your organization?

Mr. BACON. The paid membership is 1,167. We have, however, a potential in the Blinded Veterans Association of approximately 4,000. This would be those who are war-connected, service-connected blind. The non-service-connected blind, those in the service and their blindness not as a direct result of their service, would be a few thousand more.

But there have been only—I have had only one or two complaints in the 15 or 16 years that I have worked both with the national organization and the regional groups, regional organizations, of any inequities with the airlines insofar as the seeing-eye dog.

The either twice or three times that I have had the complaints have been that the airlines has charged excess baggage for the dog to ride.

In other words, they had the suitcase with 40 pounds limitation and the dog weighed, we will say, 60 pounds. Well, this was excess baggage and they had to pay the excess baggage fee for the dog to ride with them in the cabin. But this has been, I would say, I am sure out of the number of men or people who have traveled with seeing-eye dogs, this would be almost none at all so far as inequities. But it has happened, of course.

Mr. HEMPHILL. I have one further question. I am sorry, Mr. Chairman, I have been in and out.

The question occurs in my mind, if we adopt the purpose of your resolution which says in the hope of giving a 2-for-1 concession is where we draw the line, if we do draw it.

Mr. BACON. I do not understand.

Mr. HEMPHILL. Well, who determines whether or not a person is so disabled or so unfortunate as to have to have a guide or an assistant?

Mr. BACON. Well, most usually—in the case of the Blinded Veterans Association, of course, the Federal Government's legal definition of blindness, the 20/200 in the better eye-corrected and the field of vision to be so limited as not to subtend 20 degrees. This constitutes the legal blindness.

Now, however, between what is commonly known as the legal blindness category and 5 percent, many of these people do not require an attendant. However, if you are under 5-percent vision or 5/200 vision, you are pretty well in need of the aid and attendance. Again, the Veterans' Administration itself has this particular law in effect. So that if you are under this 5 percent or 5/200, then you are eligible for aid and attendance.

This is where, of course, it is necessary.

Mr. WILLIAMS. Mr. Younger, in his testimony, left with the committee for the committee's files a certificate for blind passengers with their attendants for use on railroad lines and also one for use on motor lines. Are you familiar with this?

Mr. BACON. Yes.

Mr. WILLIAMS. Apparently this is the American Foundation for the Blind, Inc., in New York, that apparently issues these and presumably they are recognized by the rails and by the motor carriers.

Mr. BACON. Yes.

Mr. WILLIAMS. I would think that perhaps the Civil Aeronautics Board could issue regulations that would clarify that situation or there might be something that would be subject to regulation by the individual carrier.

Do you know how that is handled now with respect to railroads and the motor buses? How that determination is made?

Mr. BACON. Well, if you have a travel booklet from the American Foundation—

Mr. WILLIAMS. That is what I have in front of me; yes.

Mr. BACON. The blind person will write to the American Foundation for the Blind. We will say in my case I will write to the foundation asking for the travel book on railways and buses. They send me back asking for a statement of blindness from an ophthalmologist. That statement is sent to them and they determine whether I come under the legal definition of blindness for this particular booklet.

Mr. WILLIAMS. Will you pardon an interruption for the moment?

Mr. BACON. Yes.

Mr. WILLIAMS. Mr. Slichter, may I ask you if that will constitute any problem for you with the airlines?

Mr. SLICHTER. I am not familiar with what you are holding there.

Mr. WILLIAMS. If you would like to see it, I will be happy to show it to you. Do you think this would be a determination of who—

Mr. FRIEDEL. Here is a card with a photo on it.

Mr. WILLIAMS. That is not issued by an official concern.

Mr. FRIEDEL. It is the same as this. Look at this.

Mr. WILLIAMS. Would you anticipate that there would be any difficulty in the administration of this with respect to determining who would be qualified to carry a guide and who would not be qualified?

Mr. SLICHTER. My only answer can be, Mr. Chairman, that if there is a specific identification that specifies that this person is considered as qualifying, I think we could handle it. However, I think the problem is broader than that, because then you get in these bills where they deal with other than the blind. Then you have to define each and every disability. Then I believe it would not only be difficult for us to handle but difficult for whoever is issuing the qualification.

Mr. WILLIAMS. The bill introduced by Mr. Younger and the companion bill introduced by Mr. Pirnie—I believe it applies to just the totally blind.

Mr. WILLIAMS. Some of the other bills go further than the blind. They go to take care of handicapped persons. We are concerned at the moment with a bill that has to do with the blind.

Mr. SLICHTER. I can only say at the moment, that if some national organization specifies—and they carry with them qualifications of this type, I cannot say that this would present us any problem. I do not believe, of course, that it takes away from any of the arguments I presented, but in this specific situation, it is clear cut. There it is. It says a person is or is not qualified. I cannot argue with that.

Mr. WILLIAMS. In other words, you would not anticipate any real difficulty with respect to the blind?

Mr. SLICHTER. No.

Mr. WILLIAMS. Thank you, sir.

Any further questions?

Mr. HEMPHILL. No.

Mr. WILLIAMS. Thank you very much, sir.

Most of the witnesses who are here have heard the previous testimony. If there are points that have not been covered in the testimony, we certainly would like to receive information on those points. If you have written testimony in a prepared text, the committee will be very happy to receive that text for inclusion in the record and then permit you to make a statement on any point which has not been covered already by the testimony in order to avoid duplication of testimony at the hearings. It is 10 minutes to 12 now and we would like very much, if we could, to conclude this hearing this morning.

Dr. Gordon Connor, executive secretary, American Association of Workers for the Blind.

Can you cover points which have not been covered by the other testimony?

STATEMENT OF DR. GORDON B. CONNOR, EXECUTIVE SECRETARY,  
AMERICAN ASSOCIATION OF WORKERS FOR THE BLIND

Dr. CONNOR. I think I can.

My name is Gordon Connor, executive secretary of the American Association of Workers for the Blind. I think that in summary, the American Association of Workers for the Blind favors all four bills under consideration by the committee.

I would like to fortify the remarks of the chairman about the economic need as opposed to the attendants on flights en route. The basic—I think the analogy that you made about the extension of prosthesis from the terminal is most pertinent. This would tie in with the philosophical base which would simply seek to make air travel for the blind person equitable with that of the sighted person. I think that is about it.

(The complete statement of Dr. Gordon B. Connor follows:)

STATEMENT OF DR. GORDON B. CONNOR

Gentlemen of the subcommittee, my name is Dr. Gordon B. Connor and I am the executive secretary of the American Association of Workers for the Blind of 1511 K Street NW., Washington, D.C. It is a privilege to have this opportunity to appear before you and to present the views of our association on several matters being considered by you today.

The first of these proposals, H.R. 8068, by Mr. Younger, of California, would make it possible for the airlines of the United States to permit a blind person to travel with a guide at one fare—an arrangement similar to that now in effect for the railroads in the United States and for other common carriers. In this modern age of rapid movement and with the increasing cost of such travel, work for the blind in the United States has become more and more aware of the limitations which blind persons are confronted with in using this rapid and efficient mode of transportation. Most blind persons must have a companion with them when they travel distances, in unfamiliar places particularly, and the 2-for-1 arrangements now available on the railroad has been a true boon over the years.

It is our hope that the right to extend this privilege can be given to the air travel facilities of the United States. Members of our association, who are employed by voluntary agencies for the blind and who are themselves blind, are asked to and are expected to travel extensively in the development of their work. However, because the income of such voluntary agencies is limited, such travel must be maintained at a minimum, and we believe that with the privilege extended under this proposal it might be possible for such blind persons to travel more extensively and to contribute more substantially to work for the blind in the United States.

May we urge your favorable consideration of this bill and hope that it may be passed into law. We know that the Civil Aeronautics Board and the Bureau of the Budget have approved this measure, and we shall be grateful to you if you can help to pass it into law.

Another proposal, H.R. 8928, by Mr. Weltner, of Georgia, we believe is equally valid and valuable. However, because we are unfamiliar with the problems that may arise in air travel in terms of definition of such disability or the nature of the travel problem itself for such disabled persons, we can only add here that we believe that all persons who need such help as our blind friends need should have this privilege.

We are also very much interested in H.R. 5611, by Mr. Trimble, of Arkansas, and H.R. 7210, by Mr. Pirnie, of New York, which would make it a Federal offense for anyone to bar a blind person using a dog guide in harness from obtaining access to any Federal property to which the person would have access without the dog. The bill would also cover admittance to public carriers in interstate commerce and at eating places at terminals used by interstate carriers. As you know, a blind person using a dog guide for travel has become a very common sight in the United States and yet, despite the recognition of the need for either a dog guide or a companion in travel for most blind persons,

there are many public facilities concerned with interstate commerce which still show reluctance about admitting a blind person with a dog guide because of regulations concerned with dogs and other pets on the premises. It is difficult to explain in detail, and sometimes useless, that these animals are not pets but are, in fact, a very essential working companion for the blind persons who use them; that they are completely under control at every moment and cannot be classed in the same category as pets.

While it is regrettable that such legislation as Mr. Trimble's proposal should be necessary, we believe that it may have a salutary effect and we urge your thoughtful consideration and your approval of this measure.

May I say again how grateful we are to be able to present our views to you and to have this opportunity to tell you again that the work of your committee over the years has been most generous and thoughtful to blind persons in the United States—and for them we extend to you heartfelt thanks.

Mr. WILLIAMS. Well, I refuse to admit to being handicapped, but I suppose I could be put in that category. While I have no trouble getting around, I could certainly have a great deal of sympathy for others who do have difficulty getting around. Buttoning the sleeve of my shirt on my right hand requires aid and attendance. That is about all that I require. So, consequently, I wear short-sleeved shirts.

But I can certainly sympathize with those who do require a prosthesis, whether it be an artificial leg or an artificial limb of some kind to be a whole person, or whether it requires a human guide.

Dr. CONNOR. I think that if you took two people in the same social stratum, one blind and one sighted, I think with some thinking out, it is going to be much more expensive for the blind person simply to go about his daily life.

Mr. WILLIAMS. The blind person is handicapped again in that this imposes an additional handicap upon him.

Dr. CONNOR. It is a kind of economic sanction against the blind, and what we propose to do is eliminate that.

Mr. WILLIAMS. Your proposal is generally in favor of relaxing the present situation.

Dr. CONNOR. Yes; and extending it to the airlines.

Mr. WILLIAMS. Any questions?

Mr. FRIEDEL. No questions.

Mr. DEVINE. I would like to pose a hypothetical situation. The airlines have testified that the economic factor does not enter into their considerations on this. I believe you and your people representing the blind persons say the economic factor is a very, very definite problem. Now, assume that the airlines or the FAA would sanction half fare for blind persons and half fare for guides. Would you anticipate, putting them on that basis, that everyone who has a need for it would use a guide or would they take advantage of the half fare and go by themselves?

Dr. CONNOR. First of all, I would agree with the chairman that this would be better than what we have at the present time.

Second, I think you said half fare for the blind person and half fare for the guide.

Mr. DEVINE. Yes.

Dr. CONNOR. My personal position here would be that this would not be the equitable solution that we look for, because some blind persons are mobile and some blind persons are not. Thus, to charge half fare for the blind person as the passenger and half fare for the guide would not be an equitable solution.

Mr. FRIEDEL. Why not? It is still one full fare that you are getting.

Mr. WILLIAMS. I would think that the blind person himself would not want to be given special treatment by being carried at half fare. As to the necessity for assistance, I think perhaps he would not feel too badly about accepting that, but I do not think that the blind person wants to be put in the position of asking for special treatment of that type—except for his attendant. Except for the thing that makes him a whole person.

Mr. DEVINE. The thing I was trying to bring out is when he felt the need for a guide, that his fare would be half and the guide's would be half, which would put him on the same basis as a sighted person.

Mr. WILLIAMS. I see what you mean.

Any further questions?

Mr. FRIEDEL. That is all.

Mr. WILLIAMS. Thank you very much.

Mr. Paul Kirton, American Council of the Blind.



#### STATEMENT OF PAUL KIRTON, AMERICAN COUNCIL OF THE BLIND

Mr. KIRTON. My name is Paul Kirton. I am a lawyer at the Solicitor's Office in the Department of the Interior. I am licensed to practice law in the States of Texas and Wisconsin, in the Federal courts, in the Fifth Circuit Court, and in the U.S. Supreme Court. In addition to this, I am a member of the board of directors of the American Council of the Blind.

We are a new organization of the blind, formed about 2 years ago and growing rapidly. I cannot tell you our exact membership. My responsibility in this organization is not in this area. The last count we had was about 5,000 and we have had some substantial groups join since that time, but I do not know what our specific membership is.

I would like to have my statement included in the record.

Mr. WILLIAMS. We will be very happy to receive your statement, sir.

(The complete prepared statement of Paul Kirton follows:)

#### STATEMENT OF PAUL KIRTON

The American Council of the Blind is a young but rapidly growing organization, composed primarily of blind persons, with membership now numbering several thousand. We are incorporated under the laws of the District of Columbia and have as a primary purpose the improvement of culture, social and economic opportunities for all handicapped persons, the improvement of the public image of blindness, and the education of the blind in their obligations to the public. Our officers and directors serve on a volunteer basis and are elected from the membership as a whole. Most of the members are independent, self-supporting citizens who wish to donate a portion of their time and effort to make it easier for blind and other handicapped persons to achieve this same position of self-support and independence.

My name is Paul Kirton. I am an attorney in the Office of the Solicitor in the Department of the Interior, and a member of the board of directors of the American Council of the Blind. Our organization appreciates the opportunity to appear before you and express its approval of the basic ideas incorporated in the four pieces of legislation which you are now considering: H.R. 5611, H.R. 7210, H.R. 8068, and H.R. 8928. We are particularly interested in the passage of H.R. 8928 as it was submitted by Congressman Weltner, of Georgia. Congressman Weltner's bill is, in many respects, similar to H.R.

8068 introduced by Congressman Younger of California. The principal difference between the two bills is that Congressman Weltner's bill would provide permission to air carriers to grant the same privileges to other handicapped persons who need an attendant while traveling, as well as to blind persons and their guides or dogs.

The language of H.R. 8928 is similar to section 22 of the Interstate Commerce Act (70 Stat. 702; 49 U.S.C. 22), which is the initial legislation permitting buses and trains to charge reduced tariffs to handicapped persons. In 1927, permission was first granted land carriers to allow blind persons and their guides to travel on one fare. In 1937, this provision was amended to allow a seeing-eye dog or other guide dog to accompany a blind person. In 1956, this permission was expanded to include other handicapped persons. At one time land carriers followed the practice of filing their reduced tariff schedules with the Interstate Commerce Commission Tariff Division. However, today only the NBT&A and four railroads (the Atlantic Coast Line, Chesapeake & Ohio, Pennsylvania, and Long Island) file such tariffs; the remainder of land carriers simply include instructions to their ticket agents that a reduced tariff is permissible. The American Foundation for the Blind, 15 West 16th Street, New York, N.Y., has acted as a clearinghouse for all land carriers, by establishing which persons are eligible to receive the reduced tariff concessions as blind persons. There has been no such clearinghouse for other handicapped persons; ticket agents have used their discretion in individual cases. All land carriers have voluntarily participated in the reduced tariff programs. In each region of the United States, the local carriers have established among themselves how much reduction they wish to grant. It is contemplated that the airlines will similarly be informed of the permission to reduce tariff rates. Then, if they so desire, they will set up the standards under which such reductions will be granted, if any. No pressure will be brought on any air carrier to participate in the program.

At this point it should be clearly stated that the permission to air carriers to grant such privileges should not be amended or hedged about as recommended by the Civil Aeronautics Board. Each air carrier is in the best position to know on what basis, if any, it can afford to grant any reduced tariff travel concession. The proposed legislation already provides for "reasonable regulations" which are to be "established by such air carrier or foreign air carrier." The effect of the proposed amendment would be to take the matter out of the discretion of the individual air carriers.

It should be made clear that not all blind or seriously disabled persons who travel need constant assistance, but many of them do. The cost of transportation for themselves and the guide or attendant makes it extremely difficult for such persons to make quick cross-country trips in times of family emergency, major medical difficulty or business. By use of a guide dog many blind persons have become independent, self-supporting, tax-paying citizens who would otherwise have been dependent recipients of public assistance and private charity. Those air carriers who wish, in their own way, to aid and encourage these people to maintain their newly acquired independence, should not be prevented from doing so by restrictive statutes or regulations.

We have mentioned the major differences between Mr. Younger's bill and Mr. Weltner's bill. The American Council of the Blind firmly believes that the reduced tariff air travel concession is as justly deserved and badly needed by other physically handicapped persons as it is by some blind persons. We therefore request the committee to give serious consideration to including the severely disabled in the grant of permission for reduced tariffs to the air carriers.

Other minor differences between the two bills should also be noted. One of the differences is that the word "totally" before "blind" was omitted because many blind persons who need a dog guide or a guide have some vision, but not enough to be any use to them when traveling. Technically speaking, the ability to distinguish light or to ascertain the presence of very large objects might be construed to disqualify such persons from the purview of the proposed privilege, yet such limited vision can prove a serious liability rather than an asset to the untrained blind person, attempting to travel alone. Most blind persons are untrained because 90 percent do not incur such limitations in their vision until adulthood, and 50 percent of the Nation's blind population did not lose their vision until after age 65. It is easy to understand why an elderly person with a recent loss of a substantial portion of his vision should be accompanied by a guide. The words "seeing eye dog or other" were deleted by Congress Weltner because "seeing eye dog" is the name of a particular brand of dog guide, and

the Seeing Eye Foundation, of Morristown, N.J., has specifically requested that its name be deleted from all dog guide legislation.

We would also like to speak today in behalf of H.R. 5611 and H.R. 7210. Many blind persons, who use guide dogs, consider the passage of this legislation absolutely essential if they are to be permitted to live and work like normal, ordinary citizens. As stated earlier, many blind people have attained their independence and their ability to become self-supporting by using a trained dog as a guide, so that they may come and go in an ordinary manner in the customary course of their business. The dog has enabled many of these people, blinded as adults, to resume the ordinary function which they performed prior to their sight loss and to resume their other functions in a family and community life. This restoration to normalcy has been substantially interfered with by many carriers, hotel, and restaurant operators, and terminal managers across the country. These persons have done so by refusing permission to blind persons accompanied by dogs to enter and to use their accommodations. These dogs are usually well trained and well kept. For proper performance of their joint function, the dog and the master should not be separated. We believe these bills, H.R. 5611 and H.R. 7210, provide adequate protection for the business establishment, the carrier, and the public from the exceptional circumstances. We are not opposed to reasonable safeguards, and if any hazard has been overlooked, we feel sure that provision can be made to protect everyone concerned. However, it is felt that passage of legislation of this general character is essential if persons who are making a real effort to help themselves are not to be thwarted. This is another example of how the U.S. Government, without the expenditure of any money, can take steps to abolish poverty and obliterate unjust discrimination against a small minority who have been deprived of their ordinary rights.

Mr. KIRTON. I would like to speak to other points. Our group, our legal staff, worked with Congressman Weltner primarily in developing H.R. 8928, but I would like to say a number of confusions have arisen this morning, and I would like to point out a few basic facts before we go on to that point.

There are approximately 350,000 persons in the United States, as I understand it, that are blind. Of these, 90 percent went blind after they were grown. Over half were blind after they were 65 years of age. So the overwhelming majority of these people are not going to be traveling much. There are 20,000 of us who are employed and there are 100,000 who are on public assistance. Those people definitely have financial problems.

Those of us who are young, who are mobile, travel a great deal alone. I have lost count of my air travel myself after I passed the quarter million-mile mark. I have always traveled alone or in the company of another totally blind person.

Now, during that travel, I would like to say that in the large terminals, with most airlines, I have had excellent assistance from the ticket counter to the plane and from the plane to the luggage room.

Any other needs I have, I hire assistance in the terminals. It is not provided. I would not ask for it to be provided. I can afford it and I am willing to pay for it. The same thing goes for getting to the ticket counter, for any help I need in getting luggage at the other end, I am willing to pay.

I am primarily concerned about those who cannot travel alone and cannot afford all the extra expenses of the guide during the trip and the guide after the trip. From the very statistics I have given you, it is quite obvious that most of these people would only travel during a family emergency when they must travel and travel rapidly, or for some similar purpose that will occur primarily on rare occasions.

These people do have some real serious problems. When we were working on this material, the very point which the chairman made

early in the proceedings was brought up. The Interstate Commerce Act and its provisos for train, bus, and water carriers, has the term, "totally blind." There are some persons who do not have enough vision to qualify as totally blind, but they have no business, with their newly acquired medical problem until they have received rehabilitation, trying to get around an airport by themselves, or if they are at the other end of the line, having to travel in these emergency situations. Now, for that reason, I think striking that word and letting them qualify as officially blind to need assistance certified by an ophthalmologist and verified by the American Foundation is adequate.

The American Council of the Blind is also quite seriously concerned about some of these other physically handicapped people. Again, the economic and physical situation is such that most of these persons are not going to need to travel often and when they do, they need most of their assistance at other times than those provided by the airline. The airline does a fairly reasonable job in helping them. But they, too, should be permitted to get medical certification and the American Council of the Blind gives you its pledge that if the existing organizations cannot assist airlines in processing these, we will use our personnel and funds to try to make such arrangements for them through ourselves or another group so that the burden can be taken off the airlines.

But basically, we want to reemphasize that this is permissive legislation. The permission should be as broad as possible. Without inserting "space available," the airlines and the CAB can make it on a space available basis under the reasonable regulations section.

We wrote to the Civil Aeronautics Board as an organization on the request and advice of the officials of some of the airlines down in Georgia and asked the question about human guides. The Civil Aeronautics Board, in reply to our president, Mr. Ned Freeman, informed us that it was presently unlawful for the airlines to permit reduced fare for a guide or attendants for a physically disabled person. We would like to permit them to do it, but we give you this pledge also: We will never exert pressure or coercion of any sort to make any airline make such voluntary concession. If they do not wish to do it now, as Mr. Slichter indicates, this is their decision and it should be undisturbed. But if they have the permission and they reconsider the situation and they can be assured of the nonabuse and the arrangements for their convenience that can be made in this matter, they should have the authority so they might change their minds. This is primarily what we are asking, that they have the permission with which to work, because we have been informed and the Board was adamant in its position that they had no current authority. If some airlines wish to do it and others do not, this is agreeable with us, too. It will still help those in those regions.

Now, this is the primary bulk of my remarks, and in the interest of your time I will discard most of the other collateral material, except to say that the guide dog, or dog guides, as the experts in this field have reminded me to call it, legislation provided for by Mr. Trimble and Mr. Pirnie relate to other things than airlines. Their guide dog situation has only been hampered as it relates to the airlines. I would like to say that a few States have public accommodation provisions for these people, but the main problem is that as a person leaves his town and travels, persons accompanied by dog guides find it almost

impossible, in some areas, to obtain food, to obtain hotel lodgings, or even to be admitted to places of general accommodations along their route. Yes; they are allowed to enter the carrier and to travel, but these people need to use restrooms, they need to eat, and they need to sleep as they travel. There has been no provision for these things.

Mr. WILLIAMS. Does that conclude your testimony?

Mr. KIRTON. Yes, sir.

Mr. WILLIAMS. Mr. Friedel?

Mr. FRIEDEL. No questions. I think he made a very fine statement.

Mr. DEVINE. No questions, Mr. Chairman.

Mr. WILLIAMS. I congratulate you on a very fine statement, Mr. Kirton. Thank you very much.

(The following letter was later received from Mr. Kirton:)

DEPARTMENT OF THE INTERIOR,  
Washington, D.C., March 4, 1964.

Congressman JOHN BELL WILLIAMS,  
Chairman, Subcommittee on Transportation and Aeronautics, Longworth House  
Office Building, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN WILLIAMS: During my oral testimony before your subcommittee, I failed to point out that the 1955 amendment to the Interstate Commerce Act contained a provision permitting buses, trains, and water carriers to allow a disabled person to be accompanied by an attendant without additional charge. The language of the 1955 amendment to the Interstate Commerce Act was incorporated by Congressman Weltner in H.R. 8928.

It would be appreciated if mention of these facts were added to the record in addition to my other testimony. It would also be appreciated if we were provided with an opportunity to obtain 50 copies of the complete hearings before your committee.

Prior to 1959, Ozark Air Lines would not permit a blind person to travel with them unless such blind person was accompanied by a guide or a person. The National Federation of the Blind filed a complaint with the Civil Aeronautics Board, and this regulation was canceled. At some point in the committee report it should be made clear that permission granting authority for a person or a guide dog to accompany a blind person is not intended to prevent blind persons traveling alone. With such intent noted in the committee report, there will be sufficient legislative history to thwart the promulgation of such a regulation.

If the American Council of the Blind can be of assistance to your committee in any matter where we have knowledge or experience, please feel free to call on us.

Sincerely yours,

PAUL KIRTON.

Mr. WILLIAMS. Mr. Schloss?

STATEMENT OF IRVIN P. SCHLOSS, LEGISLATIVE ANALYST,  
AMERICAN FOUNDATION FOR THE BLIND

Mr. SCHLOSS. Mr. Chairman, I too have submitted a written statement, and, in the interest of time, I will be glad to summarize it very briefly and perhaps answer some of the questions.

Mr. WILLIAMS. We will receive it.

(The complete prepared statement of Irvin P. Schloss follows:)

STATEMENT OF IRVIN P. SCHLOSS, LEGISLATIVE ANALYST, AMERICAN FOUNDATION  
FOR THE BLIND

Mr. Chairman and members of the subcommittee, I appreciate this opportunity to present the views of the American Foundation for the Blind on H.R. 5611, H.R. 7210, H.R. 8068, and H.R. 8928.

The American Foundation for the Blind is the national voluntary research and consultant agency in the field of services for blind persons. As such, the

foundation has had considerable experience in helping to develop programs designed to meet the special needs of blind persons.

Lack of adequate mobility is one of the major handicapping effects of blindness. Some blind people learn to get around efficiently by themselves with the aid of a cane. Others prefer to use a trained dog guide. But by far the largest number of blind people in the United States cannot use a dog or a cane safely and effectively and must depend exclusively on assistance from a sighted person, especially in a strange area. Since approximately half of the 400,000 blind persons in the United States are over 65, it is extremely unlikely that this elderly group will be in a position to learn to use either a dog guide or a cane for safe independent travel.

All of the bills you are considering today are logical extensions of Federal or State laws concerning blind persons who use dog guides or sighted human guides to assist them in getting around.

H.R. 5611 and H.R. 7210 are identical bills which would by Federal statute make it illegal to exclude a blind person using a dog guide from public carriers, transport terminals, eating places, and other places of business which operate in interstate commerce. As you know, public carriers, restaurants, and other places to which the public are admitted frequently exclude dogs and other pets. However, a trained dog guide is a working dog on whom his master depends to guide him safely and efficiently around obstacles and other hazards. He is not a pet when in harness and working. Consequently, if a dog guide is barred from any public place because he is a dog, then the blind person he is guiding is also barred from that place.

Many State and local governments took cognizance of this problem and have enacted laws and ordinances designed to exempt trained dog guides for blind persons from other laws and ordinances which specifically exclude dogs and other animals from places of public accommodation. The Congress took similar action when it enacted Public Law 330, 77th Congress, approved December 10, 1941. This law states that specially trained dog guides accompanied by their blind masters shall be admitted to buildings and property owned or controlled by the Federal Government on the same basis as the public is admitted to such buildings or property.

Enactment of H.R. 5611 and H.R. 7210 would provide a uniform Federal law which would apply throughout the country to assure the admission of blind persons with dog guides to public carriers, transport terminals, restaurants, and other places of public accommodation operating in interstate commerce.

With such a law, blind persons would be spared the embarrassment, inconvenience, and frustration of being barred from places to which they would normally expect to be admitted. We would, therefore, recommend that the subcommittee report these bills favorably.

H.R. 8068 and H.R. 8928 deal with another aspect of a blind person's mobility problem; namely, the additional cost to the blind person when traveling on a domestic and foreign air carrier if he must have a guide to assist him. It is important to emphasize that this legislation is permissive, not mandatory. These bills would amend the Federal Aviation Act to authorize domestic and foreign air carriers to transport a blind person accompanied by a human guide or dog guide for a single fare.

The airlines themselves will have the authority to decide whether they wish to make this concession to blind persons who do not travel without a guide—and in the case of H.R. 8928, for persons who are so severely disabled as to require an attendant.

Here again, these bills merely provide for extensions of similar authorization already in effect for railroads and buses to air carriers. As long ago as 1927, the Congress enacted Public Law 655, 69th Congress, approved February 26, 1927, amending the Interstate Commerce Act to make it possible for railroad and bus companies to transport blind persons accompanied by a guide for one fare. The wording of this amendment is virtually identical to that proposed by H.R. 8068 and H.R. 8928. Ten years later, the Congress enacted Public Law 184, 75th Congress, approved July 5, 1937, which amended the previous amendment to the Interstate Commerce Act to include dog guides.

Virtually every railroad and bus company operating in interstate commerce in the United States and in Canada has granted this one fare concession to a blind person traveling with a guide. The American Foundation for the Blind, the organization I represent, has assisted the railroads and bus companies to implement this concession by issuing special coupon books to eligible blind persons who request them. These coupon books and identification cards are issued by the

foundation without any charge to the blind person, and he and his guide present them to the ticket agent when purchasing a railroad or bus ticket. I have submitted several samples of coupon books and identification cards. The foundation will be glad to cooperate with the airlines in the same way if H.R. 8068 or H.R. 8928 becomes law and the airlines agree to grant the one fare concession.

In closing, we would recommend to the subcommittee that the bills being considered today be favorably reported. They are bills which are a logical extension of existing Federal laws, and their enactment would help many blind people to deal with one of their unique problems.

Mr. SCHLOSS. The American Foundation for the Blind is the national voluntary agency in the field of services to blind persons. We have staff members who are specialists in various areas and who are called upon by State and local agencies serving blind persons for consultative services.

In essence, as far as the specific bills are concerned, we believe that they are logical extensions of existing Federal legislation. We believe, too, that they would be helpful in assisting blind persons who do have mobility problems. A number of blind people travel with the aid of a cane. A smaller number prefer to use dog guides. But by far the largest number of blind persons cannot use a cane effectively and safely, nor can they use dog guides.

As the previous witness indicated, approximately half of the estimated 400,000 blind persons in the country are over 65; and it is doubtful that very many of these in the elderly group will have an opportunity to get adequate training for safe and effective travel with a cane or will be in good enough physical condition to use a dog guide.

I, too, have submitted some samples of the rail and bus coupon books which the organization I represent issues, and as well as some identification cards which have fictitious names on them.

Mr. WILLIAMS. May I ask you a question about that?

Mr. SCHLOSS. Yes, sir.

Mr. WILLIAMS. Of course, the American Foundation for the Blind is not an organization as such; it is a foundation, is it not?

Mr. SCHLOSS. It is an operating agency, an operating foundation.

Mr. WILLIAMS. It does not have a paying membership as such?

Mr. SCHLOSS. No. It is incorporated under the membership corporation law of the State of New York technically, but it is not a membership association.

Mr. WILLIAMS. Well, a blind person in one of the States—Georgia, we will say—should require an identification card. Could he obtain that by submitting a statement of an ophthalmologist to the Foundation for the Blind, or how would he go about getting a card?

Mr. SCHLOSS. The procedure would be for him to write to the foundation requesting an application blank. The application form would require a certification by an ophthalmologist or optometrist that the person has visual acuity of less than 20/200. It is the same definition that is used administratively for determining aid to the blind welfare payments. The person is also required to submit a picture which goes on the identification card—two pictures, in fact, one of which is kept in the files. The picture itself must have the same certification by an ophthalmologist or optometrist. The foundation will also accept a certification that the individual is eligible from a local voluntary agency for the blind in the community which knows the individual; for example, the Columbia Lighthouse for the Blind here in the District of Columbia.

The foundation has been cooperating with the railroads and bus carriers since 1927, when the first amendment to the Interstate Commerce Act in this area, Public Law 655, was enacted and we have been issuing these books and identification cards since then.

Mr. WILLIAMS. Is the 20/200—I guess you would call it standard or sight qualification—the same standard that is used to determine whether a person is blind for internal revenue purposes?

Mr. SCHLOSS. Yes; it is.

These books are issued free of charge, as I indicated in my written statement, and the foundation would certainly be glad to cooperate with the airlines if the Congress enacted H.R. 8068 or H.R. 8928 and the airlines chose to implement the authority to grant a concession to blind persons traveling with a sighted guide.

As other witnesses have indicated, it is permissive legislation.

There was another point. The way these books are actually used, the blind person and his guide present them at the time they are purchasing tickets from the ticket agent.

Mr. WILLIAMS. This would simply require the issuance of another booklet?

Mr. SCHLOSS. It would require the issuance of another book and putting another number from that book on the identification card itself.

I might add, of the estimated 400,000 blind persons in the United States, the foundation issues 24,000 railroad coupon books each year and 24,000 bus coupon books. That is approximately 6 percent of the eligible population actually applying for and receiving the books. Whether a substantial number of them use it, we do not know.

Mr. WILLIAMS. Well, we can assume, then, that we are dealing with 24,000 persons—a maximum of 24,000 persons?

Mr. SCHLOSS. I would say that that would be a safe estimate.

Mr. WILLIAMS. Was there anything else you wanted to add, sir?

Mr. SCHLOSS. No; I believe that would summarize the points I was interested in making.

Mr. WILLIAMS. Mr. Devine?

Mr. DEVINE. I have no questions, Mr. Chairman.

Mr. WILLIAMS. Thank you very much, Mr. Schloss.

Mr. Robert Whitstock, field representative and administrative assistant, the Seeing Eye.

Mr. Whitstock, do you have a prepared statement?

#### STATEMENT OF ROBERT WHITSTOCK, FIELD REPRESENTATIVE AND ADMINISTRATIVE ASSISTANT, THE SEEING EYE, INC.

Mr. WHITSTOCK. Yes, sir; and it has been submitted.

Mr. WILLIAMS. We are happy to receive it for the record, sir.

(The complete prepared statement of Robert Whitstock follows:)

#### STATEMENT BY THE SEEING EYE, INC., MORRISTOWN, N.J.

This is an official statement of the Seeing Eye, Inc., a nonprofit philanthropy incorporated in the State of New Jersey in 1932, initially incorporated in the State of Tennessee, January 29, 1929. Its services are rendered on a national basis and are available also to Canadians. Consulting services are rendered on a worldwide basis, when requested.

It was the Seeing Eye, Inc., which introduced into this country—35 years ago—the first systematic program for educating dogs to guide blind persons and for

teaching qualified blind persons how to use, control, and care for such dogs properly. The Seeing Eye, Inc., therefore, has a special interest in H.R. 5611 now under consideration.

Since the first seeing-eye dogs went into service in the United States, other organizations have entered the dog guide field, notably Leader Dogs for the Blind, Inc., Rochester, Mich. (in 1939); and Guide Dogs for the Blind, Inc., San Rafael, Calif. (in 1942). Together with the Seeing Eye, the three organizations have for a number of years produced more than 75 percent of the dog guides used by blind Americans and could conceivably produce more. Their products are identified in terms of their respective corporate titles as Seeing Eye dogs, Leader dogs, and Guide dogs. This statement of the Seeing Eye, Inc., is in essence endorsed by the other two organizations, and it is presented, therefore, in behalf of all three with full authorization. The statement is also made in behalf of the 3,000 or more blind persons using dog guides obtained from the same 3 nonprofit philanthropic organizations.

Dog guides are carefully selected from the so-called working breeds; e.g., breeds that have produced sheepherding dogs; dogs that have served the Armed Forces, etc. They are selected for size, stamina, health, intelligence, and temperament. Their capacity to serve as guides for blind persons is developed through scientific training methods. Mature blind persons (and some mature adolescents) who qualify (on the basis of health, degree of blindness, temperament, purpose, and other factors) are also thoroughly instructed during a 28-day in-residence course on the care, control, and use of the dogs. They learn, for example, how to keep their dogs clean; the importance of regular veterinary checkups; how to keep the dogs well behaved and inconspicuous when at rest in restaurants, hotels, college classrooms, churches, and other public places. For many years dog guides have been legally entitled and welcome to travel with their blind owners in passenger sections of buses, trains, aircraft, and other vehicles operating locally, statewide, or in interstate and foreign transportation.

In the pioneering days of the Seeing Eye, however, blind persons encountered frustrating opposition to having their dogs with them in places of public accommodation, and to some extent this was understandable 25 or more years ago. To the uninformed public the dog, after all, was just a dumb animal or, at best, a loosely controlled pet. Its presence in a restaurant or hospital visiting area was considered by some a violation of health board regulations. It was offensive or alarming to others for a variety of reasons. As the number of seeing-eye dog owners increased, however, and effectively demonstrated the controlled behavior of their guides, objections began to disappear among the enlightened. But education by demonstration was often a slow process, and influential friends of dog guide users began to urge elimination of restrictive company policies or to initiate legislation in their behalf in a number of States. As early as 1937, the State of Indiana passed laws to permit dog guides to accompany their blind owners in public conveyances and accommodations. In more than two-thirds of the States today there are laws that respect the ability of dog guides and their owners to operate efficiently and without interference in any way with the general public interest.

In spite of existing legislation in many States, the principal dog guide organizations periodically receive reports that indicate the laws are not widely enough known or are observed in the breach; that education without legislation is not always enough. Blind persons accompanied by dog guides continue to be denied admission to restaurants, hotels, and other places of public accommodation, some of which do and some of which do not operate in interstate commerce.

The incidence of legal blindness in the United States has for many years been estimated at 1 in 500 of the total population. Based on this ratio, the legally blind population in our country today is 380,000, constituting a truly minority group. Of this number, it has been estimated that fewer than 1 percent, or 3,800 blind persons, use dog guides to aid them in getting from place to place independently. Moreover, it has been estimated that perhaps an additional 1 or 2 percent of the blind population who do not at present use dog guides would be qualified to use them to advantage and might choose to seek them in the foreseeable future. The total number of dog guide users who might directly benefit from the passage of H.R. 5611 would, in the opinion of the Seeing Eye, Inc., not likely ever exceed 10,000. But if any kind of social custom, commercial practice, or public attitude is fundamentally discriminatory, it is just as discriminatory to a single individual as it is to 10,000 or 10 million.

As a democratic society, the United States may take justifiable pride in the many opportunities provided our handicapped citizens to satisfy their special

needs through both public and private programs in rehabilitation, education, vocational counseling, training and placement, and others. But blind persons in particular look upon their special needs in vocational placement and mobility training as key factors in their resumption of independent living; in becoming taxpayers rather than the recipients of tax-supported welfare. A recent survey of 1,200 seeing eye dog owners, incidentally, disclosed that 87 percent are gainfully occupied and find their dogs of great advantage in carrying on their vocational, educational, domestic, and social activities.

Rehabilitation experts, including those of the Health, Education, and Welfare Department and the Veterans' Administration, if called upon to testify before this committee, would, we are certain, characterize the dog guide as one of only two valid solutions to the problem of independent mobility as experienced by the great majority of blind persons in their active years. The fact is recognized by these same experts, as well as by experienced dog guide authorities, that not all blind persons are qualified to use dog guides to advantage properly; but those who can have proved over a period of 35 years that they can come and go safely and efficiently with the aid of a carefully selected, well-trained dog guide. Their experience generally demonstrates that the dog guide has contributed to their economic independence, their physical and mental health and to their total image in the public mind as effective personalities and useful citizens. That there are still in existence actual or implied barriers to their achievements through discriminatory practices in many places of public accommodation; that there are still such embarrassing frustrations in their daily pursuit of life, liberty, livelihood, and happiness is decidedly inconsistent with American ideals.

It is the considered opinion of the Seeing Eye, Inc., Leader Dogs for the Blind, Inc., and Guide Dogs for the Blind, Inc., that with its passage the impact of H.R. 5611 will be considerable, not only in the specific situations with which it deals, but also in drawing attention to existing laws of the several States and in bringing about greater enlightenment in States where such laws do not as yet exist.

In conclusion, the Seeing Eye, Inc., is pleased to share with the committee the following extract from a congratulatory message received on the occasion of its recent 35th corporate birthday from a blind Alabamian who has used a seeing eye dog since 1929:

"I have used a seeing eye dog for almost 35 years and am now using my fifth dog. My enthusiasm remains as high as ever. Thor [his present dog] is as wonderful to me as was my first dog Muddles. My dogs have placed me on an equal footing with my fellowmen and have enabled me to lead a useful, normal, and productive life."

Mr. WILLIAMS. Who is your friend?

Mr. WHITSTOCK. This is Gem.

I also have some materials I thought you might like to have for your files. One of these on the top is the most relevant, I think, and that is a summary of the legislation in the various States dealing with dog guides, which Seeing Eye prepared.

I do want to address myself largely to H.R. 5611 and its identical companion bill, H.R. 7210 because there are of particular concern to the Seeing Eye.

I would like to say also, I speak for Seeing Eye, Inc., which is the largest training school which trains dogs for leading blind persons, also for Leader Dogs for the Blind, of Rochester, Mich., and for Guide Dogs for the Blind in San Rafael, Calif. These three schools between them train most of the dogs used by blind persons in the United States. Therefore, I speak for the 3,000-plus highly mobile blind individuals who do travel extensively through the United States, and who do use the dogs that are trained by these schools.

We realize that we are a minority group—actually a minority group among blind persons. We do not ever expect that there will be more than 10,000 blind persons in the country who will eventually use dog guides at the same time. But we do think there is a problem in inter-

state commerce and that it needs attention by Congress. I should explain that from the very early history of the Seeing Eye—and it was founded in 1929—our feeling was that we could accomplish far more through simply educating the public toward the fact that these are dogs that are very carefully selected; they are very carefully trained and they are placed with blind persons who are of high quality, who meet very basic qualifications of independence and good judgment. As a consequence, these are not dogs that would complicate a public accommodation.

We had, I think, a great deal of success over the years in educating the public to the fact that a dog like this is far more than a pet. It is not a pet in the loosely controlled sense that people would think of pets, but it is a dog that could go into a restaurant and would go underneath the table and would go to sleep. It is a dog that would go into airplanes and trains and not interfere with other passengers or cause inconvenience to public carriers. In other words, it is a prosthetic aid in the nature of a pair of eyeglasses or a hearing aid.

Through the years we did get very widespread acceptance. We can travel—and I do travel in behalf of the Seeing Eye some 50,000 miles annually, and consequently do get to just about every city in the United States at one time or another. Generally, travel for a blind person with a dog guide moves freely and without too many complications. I would like to compliment the airlines for the services we have gotten. Dog guide users have received the finest of care and courtesy from airline personnel. It is highly efficient and effective, and I think the airlines deserve a lot of credit. However, there are situations in interstate travel that do come up, even though few in number, which cause serious problems for independent minded persons traveling with a dog guide.

Those of us who use dog guides do not meet overwhelming numbers of restaurants or hotels which refuse us access with our dogs, but when it does happen, it does indeed cause serious hardship, crushing humiliation, and embarrassment. A hotel manager may not know that his State has a law requiring that the dog be permitted, or a restaurant owner may not realize that health regulations throughout the United States universally exempt dog guides. Their refusal can leave the blind person stranded or deeply humiliated.

There are also personnel for common carriers who are equally unaware of tariff permission for dog guides to be carried without charge and that in the custody of their masters, and who by their refusal consequently cause serious problems to a blind traveler.

Federal legislation will remove additional impediments to interstate travel by independent blind persons who use dog guides. It will also help to point up the existence of much State legislation in this area and will further help in the education of the general public to the fact that a dog guide is not a pet but is a prosthetic device which in no way would complicate a public accommodation. With the adoption of H.R. 5611 and H.R. 7210 we believe, too, that additional blind persons would be encouraged to find their independence in the use of dog guides, and this would help to extend self-sufficiency to other individuals. So we have asked for and are certainly happy to see H.R. 5611 and H.R. 7210 enacted into law.

I would be very happy to answer any questions. That does conclude what I did want to say.

Mr. WILLIAMS. Thank you very much.

Mr. Devine, did you have any questions?

Mr. DEVINE. No; I appreciate very much your making these pamphlets available. They are quite interesting.

Mr. WILLIAMS. I do, too. I am particularly interested in the summary of legislation in the several States. I am going to send a copy of this, if you do not mind my taking one from the committee, down to my county legislator.

Mr. WHITSTOCK. These booklets were prepared several years ago and since then California and Connecticut have passed bills and enacted them into law which do make it mandatory for public accommodations and transportation to serve blind persons within those States.

I would also add, because there was some question before about the criminal penalty, that these States have also enacted criminal provisions in line with the many States that have dog guide legislation. We, at the Seeing Eye, feel that penal provisions are essential—otherwise the law is meaningless. At the same time we would expect that the penalty would not have to be brought into force except on rare occasions. For example, in 1937 Indiana passed its dog guide law. It contained penal provisions and was the first of the States to pass such a law. The existence of the law has given blind persons in the State freedom to move about at will, and, to my knowledge, the penal provisions have not had to be enforced.

Mr. WILLIAMS. Mr. Whitstock, we certainly thank you for your testimony.

That will conclude the hearings.

#### STATEMENT OF JAMES D. MANN, NATIONAL ASSOCIATION OF MOTOR BUS OWNERS

Mr. MANN. I would like permission to file a statement of the association and a copy of our tariff with the committee governing transportation of blind persons and I will get it to you tomorrow or the next day.

Mr. WILLIAMS. We will be very happy to receive it, sir.

(The document referred to follows:)

NATIONAL ASSOCIATION OF MOTOR BUS OWNERS,  
Washington, D.C., February 28, 1964.

HON. JOHN BELL WILLIAMS,  
Chairman, Transportation and Aeronautics Subcommittee, House Interstate and  
Foreign Commerce Committee, House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: The National Association of Motor Bus Owners appreciates your permission, granted at the conclusion of the hearings on February 26, to submit its views on the so-called dog guide bills; namely, H.R. 5611, H.R. 7210, H.R. 8068, and H.R. 8928.

NAMBO is the national trade association for the intercity motor bus industry and serves as spokesman for approximately 1,000 carriers, including Greyhound, Trailways and independent companies which account for about three-fourths of the intercity bus transportation in the United States.

The bills of particular concern to the intercity bus industry are the identical bills H.R. 5611 and H.R. 7210, to prohibit the exclusion of dog guides for the blind from certain public carriers, transport terminals, and other places of business which operate in interstate commerce.

As far as the intercity bus industry is concerned, this proposed legislation would serve no useful purpose as there is no prohibition against dog guides imposed by the operators of intercity buses, or in the terminals, including the restaurants and other eating places therein, which they serve.

The intercity bus industry makes no charge for guide dogs, nor does it make a charge for an attendant, who, in the absence of a guide dog, travels with a blind person, who meets the criteria of the American Foundation for the Blind.

In this connection, I am enclosing a copy of National Bus Traffic Association, Inc., local and joint reduced fare Circular No. A-75, 15th revised page 11 and 15th revised page 12. There is no likelihood that these tariff provisions will be modified in any way to affect the blind adversely.

Therefore, we respectfully urge that your subcommittee not consider favorably H.R. 5611 and H.R. 7210. However, should the subcommittee in its wisdom deem this legislation necessary, we request that intercity motor buses, subject to the jurisdiction of the Interstate Commerce Commission, be specifically exempted from its provisions.

This request is based on the premise that such legislation is customarily designed to correct an injustice, or an abuse, or an inequity, and no such condition exists in the intercity bus industry to which the proposed legislation would be applicable. Further, the penalty provisions could result in undue and unnecessary harassment by the few who are ever seeking an opportunity to take advantage of any law.

The intercity bus industry is most solicitous of the blind. One example of its concern and interest is an operation of Safeway Trailways, headquartered in this city. Every Friday afternoon this company sends a bus to the Maryland School for the Blind at Overlea, Md. (outside of Baltimore), and brings those children whose families live in the Washington area to this city. The children return by bus to the school on Sunday afternoon. The round trip fare is \$1.80 and a one-way ticket is \$1. From a revenue standpoint the operation is a losing proposition as the bus deadheads to Overlea on Friday afternoon and to Washington from Overlea on Sunday.

The other two bills before the subcommittee for consideration are H.R. 8068 and H.R. 8928, which relate to air carriers. There is one feature of one of these bills; namely, H.R. 8928, which would cause concern to the intercity bus industry, should it be recommended by your subcommittee that part II of the Interstate Commerce Act be similarly amended, and that is the stipulation for free transportation for attendants of disabled persons.

As pointed out by the spokesman for the Air Transport Association of America, this provision would cause innumerable administrative problems and could open the flood gates for all kinds of abuses. For example the determination of what is a "disabled person" would be a source of constant contention and possible litigation. Such an amendment to part II of the Interstate Commerce Act would necessarily be opposed by the intercity bus industry.

We will appreciate it if the views of NAMBO as expressed herein, together with the enclosed excerpt from the above described tariff, are made part of the official record of the hearings on the aforementioned bills.

Very truly yours,

JAMES D. MANN, *Secretary-Manager.*

M.P.S.C.No.7  
P.S.C.N.Y.No.5P.U.C.O.No.7.  
Wis.P.S.C.No.9

Wyo.P.S.C.No.85

Also Other State Commission  
Numbers Shown on Title Page

LOCAL AND JOINT REDUCED FARE CIRCULAR No. A-75		Fifteenth Revised Page 11
NATIONAL BUS TRAFFIC ASSOCIATION, INC., AGENT		Changes
506 South Wabash Avenue, Chicago 5, Illinois		Fourteenth Revised Page 11
Issued: June 7, 1963		Effective: July 15, 1963
SECTION E		
REDUCED FARES ACCOUNT BLIND		
Rule No.	RULES AND REGULATIONS	
1	<p><b>TO WHOM GRANTED:</b></p> <p>A blind person and one seeing attendant traveling together upon presentation of a coupon (as herein after described). (See example in Rule 5 hereof).</p> <p>NOTE.--Reductions will NOT be granted when:</p> <p>(1) A blind person is accompanied by a trained dog acting as a guide. (Agents will refer to National Passenger Tariff No.A-1000, I.P.U.C.No.22,MP-111.C.C.No.111.,P.S.C.I.No.B-44, I.C.C.No.30,D.M.T.Ry.No.24,Bus-P.S.C.Md.No.21,M.P.S.C.No.29,Min.R.C.No.16,M.R.C.No.24, P.S.C.N.Y.No.13,M.D.P.S.C.No.21,P.U.C.O.No.28,Okl.C.C.No.29,P.U.C.S.D.No.21,MP-V,C.C.No. 71,MP-P.S.C.W.Va.No.39,Wis.P.S.C.No.29,Wyo.P.S.C.No.31,amendments thereto or reissues thereof, issued by National Bus Traffic Association, Inc., Agent, or other lawfully published tariffs for rules and regulations governing the transportation of trained dogs accompanying a blind passenger paying regular fare).</p> <p>(2) A blind person is accompanied by an attendant and a "trained dog".</p> <p>(3) A blind person is traveling alone.</p> <p>(4) Two or more blind persons are traveling together.</p>	
2	<p><b>CONDITIONS OF SALE:</b></p> <p>The reduced fares authorized herein will be granted by carriers parties hereto (see exceptions) to blind persons properly identified and one sighted attendant upon presentation to ticket agent of a coupon issued by either the American Foundation for the Blind, Inc., 15 West 16th Street, New York 11, N.Y.; the Canadian National Institute for the Blind, 1929 Bayview Avenue, Toronto 17, Ontario or the Braille Institute of America, Inc., 741 North Vermont Avenue, Los Angeles 27, California, an example of which is shown in Rule No.5 hereof.</p> <p>Such coupons are good during the calendar year for which issued. Each coupon entitles person named to purchase party ticket (for use of the blind person and one sighted attendant) at fare authorized herein. If coupon is part of a book of coupons, it, properly executed, must be detached from coupon book by agent at time of sale of ticket.</p>	
3	<p><b>FARES:</b></p> <p><b>One-Way Fares:</b></p> <p>One adult one-way fare applying via route traveled will apply for the party ticket covering passage of the blind person and accompanying attendant. (See Exceptions).</p> <p><b>Round-Trip Fares:</b></p> <p>Double the adult one-way fare applying via route traveled will apply for the party ticket, covering round-trip passage of the blind person and accompanying attendant. (See Exceptions).</p> <p><b>Children's Fares:</b></p> <p>Children's one-way fare.</p> <p>Seventy five (75%) percent of the one-way adult fare applying via route traveled will apply for a party ticket covering passage of a blind child between the ages of five (5) and twelve (12) years of age and a sighted attendant.</p> <p>Children's round-trip fare.</p> <p>Double the one-way children's fare shown above, applying via route traveled will apply for the party ticket, covering the round-trip passage of a blind child and a sighted attendant.</p>	
4	<p><b>MARKING OF TICKETS:</b></p> <p>Each coupon of party ticket for use of blind passenger and attendant should be plainly marked with the initials of the issuing agency, as follows:</p> <p>"For use of blind passenger and attendant," with certificate number as follows:</p> <p>"A.F.B. Certificate No.," "C.N.I.B. Certificate No.," "B.I.A.I. Certificate No."</p>	

For explanation of abbreviations and reference marks, not explained on this page, see page 1.

(Printed in U.S.A.)

(NO CHANGE IN THIS PAGE)

Correction No.221

M.P.S.C.No.7  
P.S.C.N.Y.No.5P.U.C.O.No.7  
Wis.P.S.C.No.9

Wyo.P.S.C.No.85

Also other State Commission  
Numbers shown on title page.

**LOCAL AND JOINT REDUCED FARE CIRCULAR No. A-75**  
**NATIONAL BUS TRAFFIC ASSOCIATION, INC., AGENT**  
 806 South Wabash Avenue, Chicago 5, Illinois  
 Issued: June 7, 1963

Fifteenth Revised Page 12  
 Cancels  
 Fourteenth Revised Page 12  
 Effective: July 15, 1963

## SECTION E

## REDUCED FARES ACCOUNT BLIND--Concluded

Rule  
No.

## RULES AND REGULATIONS

## 5 FORM OF REQUESTS:

Below is an example of the ticket agent's coupon, as issued by the agencies for the blind listed in Rule No.2 hereof:

1969	<b>Ticket Agent's Coupon No. 1</b>
Please sell to me for my personal use, at fares accorded by your company to blind persons and their attendants, one ticket for transportation of myself and attendant:	
FROM _____	TO _____
I hereby certify that I am blind and that I am the person to whom AMERICAN FOUNDATION FOR THE BLIND, INC., CERTIFICATE was issued and whose photograph appears on the Identification Card which is presented herewith to verify my eligibility for this privilege.	
SIGN HERE _____	
ADDRESS _____	
<i>Attendant may sign coupon for blind passenger in presence of blind passenger and of Ticket Agent.</i>	
Ticket Agent will indicate in the spaces shown below, the name of the issuing Carrier, the form number, and number of ticket issued; detach and stamp this coupon, and send it with his ticket report to the Accounting Department of his Division.	
(Issuing Line)	
Ticket Form _____	No. _____ Amount _____
(Void unless accompanied by sighted attendant)	

On Certificate Books issued by the American Foundation For the Blind, identification will be made through the use of a separate identification card having the name and address of the blind person, together with his or her picture on the reverse side.

Applicants who do not have certificates, for this reduced fare transportation should be referred to the Educational Director, American Foundation for the Blind, 15 West 16th Street, New York 11, New York; the Canadian National Institute for the Blind, Pearson Hall, 929 Bayview Avenue, Toronto 17, Ontario; Canada; or the Braille Institute of America, Inc., 741 North Vermont Avenue, Los Angeles 27, California.

## EXCEPTIONS

- EXCEPTION 1.--The provisions authorized in this section will not be applicable in connection with one-way fares of thirty-five cents (35¢) or less, or round-trip fares of seventy cents (70¢) or less.
- EXCEPTION 2.--Fares and arrangements shown in this section will not apply to tickets sold locally between points on the lines of the following carriers: (Application of fares as shown in Rule No.3, Section E, may be used in connection with the sale of interline tickets only).  
 Ohio Bus Line Company, The  
 Short Line, Inc., The AELM.  
 Short Line, Inc. of Penn., The
- EXCEPTION 3.--Fares and arrangements shown in this section will not apply on or via the lines of the following carrier:  
 White Star Lines, Inc.

For explanation of abbreviations and reference marks not explained on this page, see page 1.

(Printed in U.S.A.)

Mr. WILLIAMS. Thank you very much.  
The committee will stand adjourned.  
(The following material was submitted for the record:)

INTERSTATE COMMERCE COMMISSION,  
Washington, D.C., March 3, 1964.

HON. JOHN BELL WILLIAMS,  
Chairman, Subcommittee on Transportation and Aeronautics,  
House of Representatives, Washington, D.C.

DEAR CHAIRMAN WILLIAMS: This is in response to your request (communicated orally through professional staff member George W. Perry) for information concerning any difficulties experienced by blind persons under the permissive approach to free transportation of seeing-eye dogs embodied in section 22(1) of the Interstate Commerce Act.

Our information indicates that virtually all carriers engaged in interstate commerce have voluntarily adopted the practice of charging a single fare for the transportation of blind persons accompanied by seeing-eye dogs under industrywide regulations applicable to such transportation. The railroads and the Pullman Co., do so through circulars to their employees and the major bus companies so provide in a tariff filed for their account by the National Bus Traffic Association. For convenience, I enclose extracts from these publications.

In practice, it appears that this voluntary system works well and involves few, if any, hardships. Thus, a search of our records over the past 5 years fails to disclose a single instance of a complaint by a blind person as to the service and facilities provided by interstate carriers.

I trust that the foregoing will be of assistance to you in your consideration of H.R. 5611 and similar bills.

Sincerely yours,

ABE MCGREGOR GOFF, *Chairman.*

Enclosure.

EXCERPTS CONTAINED IN CIRCULARS AND TARIFFS OF CARRIERS CONCERNING THE  
TRANSPORTATION OF BLIND PERSONS ACCOMPANIED BY A SEEING EYE DOG

#### RAIL

*Circular BL No. 5, A. J. Winkler, agent*

Sec. 3. Item 2. The term "guide dog" as used in this section means a dog that has been trained by a recognized training agency or school to guide or lead a blind person (such as a seeing-eye dog) and blind person must show evidence by certificate or other means that the guide dog has been trained by a recognized training agency or school.

Item 3. RULES AND REGULATIONS.—

(a) IN COACHES.—A guide dog as described in item 2 above safely muzzled and on strong leash (accompanying a blind person traveling in a coach who holds valid transportation good in coach) will be transported without transportation charge.

#### THE PULLMAN CO.

*Circular dated December 1, 1941*

1. Where berth or seat accommodations is required by a totally blind person who is accompanied by a dog, specially trained as guide or leader, a separate berth or seat in a drawing room, compartment, or other type of enclosed accommodation, when available, will be furnished to such person upon collection of the regular tariff berth or seat rate.

General Rule: Where a totally blind person is sold a berth or seat in a room, under the rule mentioned, and such person is accompanied by a dog, specially trained as guide or leader, the dog must be kept in the room with the blind passenger and shall not be allowed in any open sleeping or parlor car space, or in section, buffet, lounge, or club car.

General Instructions: If room accommodations are not available on an interstate journey, the passenger should be told that his dog must be carried in the baggage car and that he may then occupy a berth or seat in the body of the car if available, and the porter will guide him in necessary movements on the car or train. Every courtesy and care consistent with the duty owed other passengers must be accorded such blind persons.

## MOTOR CARRIERS

National Passenger Tariff A-1000, I.C.C. No. 9, MP-I.C.C. No. 774, issued by National Bus Traffic Association, Inc., agent, on behalf of the major motor carriers throughout the United States, provides in rule 9(2) that a dog trained for the purpose of, and accompanying a blind person (paying regular fare) not accompanied by a seeing attendant will be carried free of charge. Such dog must be properly harnessed and muzzled and must lie or stand at the feet of its master.

THE SEEING EYE, INC.,  
Morristown, N.J., February 29, 1964.

HON. JOHN BELL WILLIAMS,  
Chairman, Subcommittee on Transportation and Aeronautics, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. WILLIAMS: I am writing with a twofold purpose: First, to thank you and the Subcommittee on Transportation and Aeronautics for the privilege of providing to the committee our testimony on H.R. 5611 and its companion, H.R. 7210. As you know, we are very much interested in the favorable passage of the bills and would certainly be happy to cooperate further in any way we can.

Secondly, I am writing to ask you to include a copy of this letter as a part of the official record of the subcommittee's February 26 meeting. I am doing so because in the other two bills considered, H.R. 8068 and H.R. 8928, there was some confusion as to language. Dogs trained by the Seeing Eye, Inc., are identified in terms of our corporate title as "seeing-eye dogs," and the identifying name is registered in the U.S. Patent Office. We suggest, consequently, that in H.R. 8068, Congressman Younger's bill, the language be changed from "seeing eye" to the generic term "dog guide." In H.R. 8928, the term "guide dogs" is used in a generic sense and we would urge that the term "dog guides" be used. We do so because the term "guide dogs" is the name used by Guide Dogs for the Blind, of San Rafael, Calif., to denote the dogs they train.

I understand Mr. Robert Whitstock, administrative assistant of the Seeing Eye, Inc., distributed to the members of the committee a summary of State legislation on dog guides and their relation to places serving the public. I am enclosing an additional two copies which I hope will be made part of the official record of the subcommittee hearing, along with two copies of the California and Connecticut dog guide statutes which were passed subsequent to the publication of the summary of legislation.

We want to thank you for your courtesy and for the privilege of appearing before the Subcommittee on Transportation and Aeronautics.

Cordially yours,

GEORGE WERTZ, Jr.

A SUMMARY OF LEGISLATION RELATING TO TRAVEL WITH DOG GUIDES

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THE SEEING EYE, INC.,  
Morristown, N.J., April 1, 1958.

DEAR GRADUATE: In 1956 the Seeing Eye compiled and distributed a survey of State legislation pertaining to dog guides. A number of changes have subsequently taken place in pertinent State legislation and these changes have been incorporated into the present summary. We hope the enclosed information will prove of help and value to you for use either in your own State or in your travels from State to State.

As was indicated in the 1956 survey, the Seeing Eye has continually adhered to a belief that it is a better policy to secure privileges for dog guide users through education rather than legislation; however, there have been some States where legislation has been necessary. Additional changes in State laws pertaining to dog guides can be expected to occur from time to time, and we will continue our efforts to keep our files up to date.

Best wishes to you from all your friends at Seeing Eye headquarters.

Cordially yours,

GEORGE WERTZ, Jr.

LEGISLATION PERTAINING TO DOG GUIDES IN THE UNITED STATES BASED ON RESPONSES TO INQUIRY MADE BY THE SEEING EYE TO ALL THE STATES

*Arizona: Section 66-165g Arizona Code amended 1952 supplement—(a).*—Blind person shall carry a white cane when walking on street or highway unless accompanied by dog guide or sighted person. (b) Person operating motor vehicle shall bring car to a stop and yield right of way to blind person carrying white cane or accompanied by dog guide at any street or highway intersection. Exception to this would be an emergency vehicle sounding a siren. Violation of above is a misdemeanor. Section 17-1607f Arizona Code 1939 as amended 1954. Dog guide shall, upon presentation of proper proof, be vaccinated and licensed without payment of a fee.

*Arkansas: Sections 1, 2, and 3 of act 253, approved March 12, 1957.*—A dog guide, when in harness, and when it can be identified as having been trained at a recognized dog guide school, must be allowed to accompany its master, without charge, into public buildings, eating places, public conveyances, hotels, tourist cabins, public inns, and public elevators. Any person who violates the above provision is subject to not less than a \$50 and not more than a \$200 fine.

*California: Chapter 11, Division 7, title 1, section 6906 State Vending Stand Law 1953.*—Blind person operating vending stand in building owned or occupied by State, city, or county may keep dog guide with him in building while operating stand. Service 1919—Health and Safety Code 1951—Dog guide need not be quarantined in the absence of evidence that he has been exposed to rabies unless master fails to keep dog guide safely confined at home and be made available for examination at all reasonable times. Ordinance No. 77,000 Los Angeles Municipal Code, Food & Beverages Section 35.02(k): (1) Dog guide allowed in food stores, conveyances restaurants, et cetera, if in possession of permit issued by board of health commissioner certifying person is blind and dog is a necessity. Board requires certificate from school where dog is trained (i.e., Seeing Eye identification card). This law pertains to Los Angeles only.

*Colorado: Section 115-12-9 Colorado Revised Statutes 1953.*—Dog guide allowed on all common carriers with master if dog is properly muzzled. Regulations regarding restaurants, et cetera, are town and city ordinances. State health department has a regulation prohibiting animals in any place where food and drinks are prepared or in stores. A health department official, however, has recently issued a clarification that makes dog guides an exception to this regulation.

*Connecticut: Section 3392, chapter 151 General Statutes Revision 1949.*—Dog guide may ride with master in any coach or pullman train car provided dog is in direct custody of master and properly muzzled. Such blind person shall not be required to obtain a private room or berth accommodation for dog guide.

*Florida: Chapter 413.07 White Cane Law.*—Blind person carrying white cane or accompanied by dog guide given right of way when crossing streets. Driver of vehicle shall come to a full stop and then proceed with caution. Violation: Maximum fine of \$25. For default of payment, imprisonment of not more than 10 days.

*Chapter 413.08 Seeing Eye Dog Law.*—Dog guide is allowed in hotels, restaurants, or other eating establishments with blind master. Violation: Maximum fine of \$100, imprisonment of not more than 60 days, or both.

*Georgia: Georgia laws 1955, page 155, House bill No. 201, section 1.*—Dog guide trained by an accredited school is entitled full privileges and facilities of all public conveyances, hotels, lodging places, places of public accommodation, amusement or resort, providing dog is properly muzzled. Dog shall not occupy a seat in any public conveyance. Section 2.—Violation: Maximum fine of \$100, 3 months' imprisonment, or both.

*Illinois: Chapter 111 $\frac{2}{3}$ , paragraph 40a, Illinois Revised Statutes 1953.*—Dog guide and master permitted on all common carriers and dog may stay with master provided dog is properly muzzled. There are no laws in Illinois pertaining to accommodation to public places, hotels, et cetera.

*Indiana: Burns' Indiana Statutes (1950 repl) acts 1973, chapter 193.1, page 920; 1945 chapter 34.1, page 62-16-212.*—Dog guide from an accredited school entitled to full and equal accommodations and privileges of public conveyances, hotels, lodging places, public accommodation, amusement, or resort. Dog guide shall not occupy a seat in any public conveyance. 16-213: Violation: Fine not exceeding \$100 or imprisonment of 3 months, or both. Sum not exceeding \$100 is also payable to the aggrieved blind person.

*Kansas: G.S. 1949 8-558b.*—Person operating motor vehicle shall bring car to a full stop and yield right of way to blind person carrying white cane or ac-

accompanied by dog guide at any street or highway intersection, and then shall take necessary precautions before proceeding. G.S. 1949 8-558c—Blind person not carrying cane or accompanied by dog guide accorded same rights and privileges on streets and highways and it shall not be evidence of contributory negligence if blind person does not have cane or dog. G.S. 1949 8-558d—Violation: Maximum fine of \$25; imprisonment of not more than 10 days, or both.

*Kentucky: Abstract from KRS 189.575.*—The driver of a motor vehicle must come to a full stop when approaching an intersection where a blind pedestrian with a white cane or dog guide is attempting a crossing; however, it will not be deemed contributory negligence or evidence of contributory negligence for a blind pedestrian to travel on the streets without the aid of either a white cane or dog guide.

*Louisiana: R.S. 21:52. 1950.*—Dog guide trained by accredited school permitted full and equal accommodations of all public conveyances and accommodations, provided dog guide does not take seat in a public conveyance. Master to furnish proof of training of said dog. Violation: Maximum fine of \$100; 90 days' imprisonment, or both.

*Maryland:* No law relating to public places or conveyances. If permit is secured from the Baltimore Transit Co., said company will permit dog guide to travel if muzzled properly and if public vehicle is not too crowded. Baltimore Transit Co. is not responsible for any injury to passengers.

*Massachusetts: G.L. C272-98A.*—Dog guide permitted to any and all accommodations and privileges of public conveyances, places of public accommodations, amusements, et cetera, subject to same conditions as sighted persons, provided dog is properly muzzled. Violation: Maximum fine of \$300.

*Michigan: Act 10, page 13—1937. Protection of Blind Persons.*—Driver of a vehicle approaching within 10 feet of blind person carrying a white cane or using dog guide shall come to full stop and take necessary precautions before proceeding. Violation: Maximum fine of \$100, imprisonment not more than 3 months or both. (CL1948-752.53) section 502c, Michigan Penal Code, 1948—Dog guide permitted in all public places, restaurants, hotels, elevators, theaters, et cetera, and it shall be a misdemeanor if proprietor, manager, et cetera, refuses to permit blind person with dog guide if dog is wearing a harness and further if such person shall first have presented for inspection, credentials issued by an accredited school.

*Missouri: Revised Statutes, 1949, section 209.150.*—Dog guide entitled to all accommodations, facilities, privileges of all public conveyances, and places of public accommodations, subject to such reasonable regulations as may be established by the agency operating such public conveyance or accommodation, and no extra fee is to be charged. Dog must be properly muzzled. Section 209.160—Violation: Person violating law shall be guilty of misdemeanor.

*Nebraska: Section 28-478—White Cane Law.*—It is unlawful for person not blind to carry a white cane. Use of a white cane or dog guide by a person shall be officially recognized as an indication that bearer is blind. Section 28-479—Blind person with white cane or dog guide is given right of way on street or highway and operator of vehicle must stop when necessary and proceed with caution. Section 28-480—Violation: Maximum fine of \$100, 5 to 30 days' imprisonment, or both.

*New Hampshire: Revised Laws of New Hampshire, section 34, chapter 119.*—Blind person with white cane or accompanied by a dog guide shall have the right of way on crosswalks in compact parts of town. Operator on highway shall exercise every reasonable precaution and if necessary stop his motor vehicle. Section 9a, chapter 180, Revised Laws—Dog guides to remain with master on fees.

*New Jersey: R.S. 48: 3-33.*—Dog guide permitted to remain with master on public conveyances. The Board of Public Utility Commissioner shall prescribe rules and regulations concerning such custody. R.S. 48: 3-34—Blind person accompanied by dog guide may be transported on public conveyance at ordinary fare charged to one person, under such reasonable regulations as may be established by the carrier.

*New Mexico: S. 47-1-7, New Mexico, 1953 C.S.*—Dog guide permitted in any place of public accommodations such as restaurant, hotel, hospital, store, common carrier, theater, provided dog is muzzled and under control of blind person. Violation: Maximum fine of \$25 S. 47-1-8 New Mexico—Dog guide shall be exempt from license fees. Any person violating this act shall be guilty of misdemeanor and be fined \$10, together with cost of prosecution.

*New York: Penal law section 518.*—Any person who does not allow accommodations, facilities, or privileges furnished by innkeepers, common carriers, theaters, restaurants, hotels, public places of amusement or resorts (except motion picture theaters) to sightless persons accompanied by dog guides (unless admission of such persons and dogs would tend to create a dangerous situation) is guilty of a misdemeanor. Public Service Law section 63-h-1/2—All omnibus corporations required to permit dog properly harnessed and muzzled to ride on all such vehicles operated for public transportation. Master to carry proper identification issued by The Seeing Eye (identification card). No charge is to be made for dog. Railroad Law, section 211—Dog guide properly muzzled and harnessed and master carrying proper identification issued by The Seeing Eye, permitted to ride on all such vehicles operated for public transportation. It shall be the duty of every street surface railroad corporation, operator of subway, elevated or other rapid transit railroad, taxicab operators, or similar vehicles to permit the above. Agriculture and markets law, section 109—Dog guides exempt from license fees.

*North Carolina: Section 67-29.*—Blind person accompanied by dog guide which has been educated by a recognized training school is entitled to full and equal accommodations, advantages, facilities, and privileges of all public conveyances and all places of public accommodation.

*North Dakota: 1955 Session Law, chapter 237, section 32.*—Only blind person shall carry in a raised or extended position, a white cane. Blind person carrying cane or accompanied by dog guide given right of way at street intersections and driver of vehicle to come to a full stop and then proceed with caution. Violation: Maximum fine of \$25.

*Ohio: Chapter 955, Revised Code, section 955.43.*—Dog guide may remain with master on common carriers if properly muzzled and on leash. Master must have proper identification that dog was trained at an accredited school. (Exceptions—railroad sleeping car, parlor, club, buffet, or lounge car.) House bill 47-1955—Dog guide exempt from license fees.

*Oregon: ORS 609.100.*—Dog guide exempt from license fees.

*Pennsylvania: Public Utility Commission, bus and taxicab regulations, rule 15—April 1946.*—Dog guide permitted on all common carriers provided dog is properly leashed and muzzled and shall not occupy a seat in the conveyance, department of health rules, adopted 1945, amended 1946 section 16.—Dog guide accompanied by master permitted in any room in which food or drink is served, prepared, or stored. Act 258: White Cane Law.—Blind person with white cane or dog guide given right-of-way on streets and highways. Operator of vehicle to come to full stop when necessary and proceed with caution. Violation: Maximum fine of \$25 and costs of prosecution. For default of payment, imprisonment not exceeding 10 days. House bill 258 passed March 1956 to become act No. 396.—Dog guides to be exempt from license fees.

*Rhode Island: General laws 1948, chapter 402, section 1.*—Dog guide from recognized school permitted with master on common carriers, in elevators, public accommodations, without extra charge provided provisions of this section do not apply to railroad sleeping, parlor, club, buffer, or lounge cars. Chapter 1686, Public Laws of Rhode Island 1946, section 1, chapter 2595-1938, amended to include the fact that it is a misdemeanor for operator of bus, elevator, et cetera, to refuse passage of blind person and dog guide and fine of \$500 for each offense.

*South Dakota: H.B. 263, chapter 176, March 1949.*—Blind person carrying white cane or accompanied by dog guide given right-of-way at intersections. Driver of vehicle to come to full stop and take necessary precautions when proceeding. Violation: Maximum fine of \$25. (The usual policy in the State has been to admit blind persons with dog guides into restaurants, public businesses, and conveyances.)

*Tennessee: H.B. 19, chapter 1 Public Acts of Tennessee, January 1955—section 1.*—Dog guide permitted in all buildings, public conveyances, if proper identification from recognized school, if accommodations are available and dog is properly harnessed. Violation: Maximum fine of \$50.

*Texas: Vernon's Texas Civil Statutes, article 889a.*—Dog guide permitted on all common carriers provided dog is muzzled and it shall be designated where dog shall ride. No extra charge to be made for dog. Section 3—Any person violating above shall be guilty of misdemeanor and may be fined not less than \$50 nor more than \$200. Article 6701e—section 1—Only blind person may carry white cane in a raised or extended position on any public street or highway.

Section 2—Blind person carrying white cane or accompanied by dog guide given right-of-way at intersections or crosswalks and driver of vehicle must take necessary precautions or come to full stop when necessary. Section 4—Violation: Maximum fine of \$200. Article 4596a—section 1—Dog guide permitted to hotel, tourist cabin, public inn, public cafe, public elevator, or similar place and master shall not be required to pay additional charge provided dog is securely muzzled. Section 2—Any person violating this act shall be guilty of a misdemeanor and fined not less than \$50 nor more than \$200.

*Virginia: House bill 202 introduced January 29, 1958, to the Virginia Legislature was enacted into law under chapter 56, in the 1958 session and provides in summary as follows.*—All laws and regulations pertaining to dogs in eating establishments are not applicable to dog guides, and a blind person accompanied by his dog guide shall be permitted in all restaurants and eating establishments in the State of Virginia.

*West Virginia: House bill 326.—Passed March 8, 1958, amends article 10, chapter 61, by adding section 23.*—It shall be unlawful for any owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public accommodation, amusement or recreation, including but not limited to any inn, hotel, restaurant, eating house, barbershop, billiard parlor, store, public conveyance on land or water, theater, motion picture house, public educational institution, or elevator, to refuse to permit a blind person to enter such place or to make use of the accommodations available, for the reason that such blind person is being led by a dog guide: *Provided, however,* That such dog guide is wearing a harness: *And provided further,* That such blind person shall first have presented for inspection credentials issued by an accredited school for training dog guides. Any person who shall violate this section shall be guilty of a misdemeanor, and upon conviction shall be fined an amount not to exceed \$50.

*Canada.*—Guide dogs for the blind are exempt from certain conditions established for other dogs. However, to avoid any possible difficulties it is recommended that all persons taking guide dogs into Canada carry with them a health certificate and a certificate of rabies vaccination indicating that the dog has been inspected and found free of any symptoms of contagious disease, has not been exposed to rabies and that no case of rabies has occurred within a 50-mile radius of the place where the dog is kept, for a period of 6 months prior to entry into Canada, and that the dog has been vaccinated against rabies within 6 months. Dog owners are also advised to carry with them a simple identification card evidencing that the dog is a guide and not a pet. Owners should also take the dog's muzzle.

*Travel in countries other than the United States and Canada.*—There is a 6-month quarantine for all dogs in the United Kingdom, and 4-month quarantine in Hawaii. These quarantine regulations seem to apply to insular countries and have been made to prevent the introduction of disease. In planning a trip to a foreign country, other than Canada, contact the consular service or embassy of the country to be visited to determine the status of quarantine and other regulations.

THE FOLLOWING STATES HAVE NO LEGISLATION PERTAINING SPECIFICALLY TO BLIND PERSONS USING DOG GUIDES

Alabama	Nevada
Delaware	Oklahoma
Idaho	South Carolina
Iowa	Utah
Maine	Vermont
Maryland	Washington
Minnesota	Wisconsin
Mississippi	Wyoming
Montana	

The Pullman Co. still grants the privilege of taking a dog guide from an accredited school in a bedroom for only the cost of a lower berth provided travel is on a train in which there are cars with lower and upper berths.

The Atchison, Topeka & Santa Fe Railway Co. has lifted the restrictions on all chair car equipment with the understanding that the dog guide will be securely muzzled. Therefore, seeing-eye dog guides may accompany their masters on chair cars.

The cost and maintenance of a seeing-eye dog is considered a medical expense on your income tax report. Check with your local revenue officer for further information.

Price list of seeing-eye equipment: Harness (complete), \$12; harness (handle only), \$5.50; harness (body section only), \$6.50; leash, \$1; collar, 60 cents; muzzle, 60 cents; comb, 35 cents; brush, \$1.35; bed chain, 35 cents, snaps, 25 cents.

Be sure to muzzle your dog on all public conveyances and keep your dog under full control at all times.

When traveling, you are always in the public eye. When necessary, administer corrections firmly, quickly, and without fanfare. Be lavish in praise when deserved.

PUBLIC ACT No. 641, EFFECTIVE OCTOBER 1, 1963

AN ACT CONCERNING GUIDE DOGS FOR THE BLIND

*Be it enacted by the Senate and House of Representatives in General Assembly convened:*

SECTION 1. (a) Any blind person may travel on a train or on any other mode of public transportation, and may enter any other place of public accommodation, including any public building, inn, restaurant, hotel, motel, tourist cabin, place of amusement, resort, or any facility of any such public accommodation, accompanied by his guide dog, and he may keep such guide dog with him at all times in any such public accommodation or facility thereof at no extra charge, provided such dog shall be in the direct custody of such blind person, shall be wearing a harness and shall be properly muzzled; and provided such blind person shall have in his possession a credential issued by an accredited school for dog training. (b) Upon request of any person in charge of any such public accommodation or upon request of any employee thereof, such blind person shall present such credential for inspection. (c) Any person who prohibits a blind person who complies with the provisions of (a) and (b) of this act from traveling on a train or other mode of public transportation or from entering any other place of public accommodation, or any facility thereof, accompanied by his guide dog, or who prohibits such blind person from keeping his dog with him at no extra charge in any such place of public accommodation shall be fined not more than one hundred dollars or imprisoned not more than sixty days or both.

SECTION 2. Section 22-346 of the general statutes, as amended, is repealed.

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SECTION 643.5 CALIFORNIA PENAL CODE. EFFECTIVE APRIL 8, 1963

The people of the State of California do enact as follows:

SECTION 1. Section 643.5 is added to the Penal Code to read:

"643.5 (a) Any blind person who is a passenger on any common carrier, airplane, motor vehicle, railroad train, motorbus, streetcar, boat, or any other public conveyance or mode of transportation operating within the State of California, shall be entitled to have with him a guide dog specially trained for that purpose, without being required to pay an additional charge therefore.

"(b) Blind persons and their guide dogs shall not be denied admittance to any hotel, motel, public inn, public cafe, public elevator, or any other similar place within the State of California because of such guide dogs. Such blind persons shall not be required to pay any additional charges for their guide dog, but shall be liable for any damage done to the premises by their dogs.

"(c) Any person, or persons, firm, association, or corporation, or the agent of any person, firm, association, or corporation, who shall violate the provisions of this act shall be guilty of a misdemeanor."

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STATEMENT OF JOHN F. NAGLE, CHIEF OF THE WASHINGTON OFFICE OF THE NATIONAL FEDERATION OF THE BLIND

My name is John F. Nagle. I am chief of the Washington office of the National Federation of the Blind. My address is 1908 Q Street NW., Washington, D.C.

The National Federation of the Blind is a nationwide organization with a membership primarily of blind men and women. We are joined together to secure by concerted action based on a shared philosophy, improved conditions, and increased opportunities for all blind persons.

The identical bills, H.R. 5611, introduced by Congressman James Trimble, and H.R. 7210, introduced by Congressman Alexander Pirnie, are consistent with our organization's objectives and our members' efforts, and we support them and request the committee to act favorably upon them.

We are supporting the Trimble-Pirnie proposal because we know that if a blind person is to be free to travel where he needs and wishes to go, his guide dog must be free to travel with him.

If a blind master is barred from taking his dog with him on a train, bus, or plane, then he is restricted in his freedom of movement; he is limited in his freedom of choice.

If a blind master is barred from taking his guide dog into a public eating place, the blind master cannot enter either, for he is dependent upon his dog, and the dog must accompany him wherever he goes.

In short, to restrict the admissibility of a guide dog on public transportation or in public places is to deny admissibility to the sightless master.

Although few instances may occur when a blind person finds that his guide dog is not welcome to travel with him on a public conveyance, or to enter with him into a public place, each instance may limit the blind master in the pursuit of his livelihood; it may restrict him in his effort to engage in social and cultural activities.

We urge this committee, therefore—we urge Congress—to act favorably on H.R. 5611, H.R. 7210.

For we believe that these identical measures as Federal law will serve to remove another barrier of prejudice and misunderstanding from the law and from the lives of blind Americans who are striving to achieve independence and self-sufficiency by overcoming, through the use of a guide dog, the handicapping consequences of their disability of blindness.

PACIFIC AIR LINES,  
San Francisco, Calif., February 20, 1964.

HON. J. ARTHUR YOUNGER,  
Congressman, Washington, D.C.

(Attention Mr. W. E. Williamson, Committee Clerk, New House Office Building, Washington, D.C.).

DEAR CONGRESSMAN YOUNGER: It has come to the attention of Pacific Air Lines that a hearing will be held on February 26, 1964, on H.R. 8068 which has been introduced by you. Pacific Air Lines wishes to go on record as being strongly in favor of this legislation.

It is true that the tariffs provide for the carriage of seeing-eye dogs, but the tariff does not provide for a sighted person accompanying the blind person in lieu of the guide dog.

All blind people do not have guide dogs. Many blind people travel by air and more would travel by air if a sighted person accompanied them and was granted the same privileges that a guide dog is granted except that, of course, the sighted person would occupy a seat. This simply means that two people would be traveling for the price of one.

Our basic interest stems from the fact that one of our captains is now blind as a result of being shot in the head by a hijacker. This individual has had to find a new way of life and with great hardship and effort is making real progress. His livelihood depends upon his ability to travel as required. The same can be true of many other blind persons. As pertains to the individual mentioned above and, no doubt, to many other blind persons, a sighted person accompanying the blind person on travel trips, many of which are in the pursuit of the blind person's occupation and livelihood, is and can be a great asset to the blind person in his business pursuits, whereas a guide dog, of course, can contribute nothing. It must be considered that a blind person's income is very likely much less than that of a normal sighted person in the same circumstances and consequently the blind person is not in an economic position that would permit him or her to pay transportation for the sighted guide.

As you know, many railroads and bus companies permit such carriage and have been doing so for a long period of time.

It is our opinion that, should the carriers be permitted to grant free transportation to the sighted person who accompanies the blind person, appropriate safeguards could be made in the tariffs covering such transportation to prevent abuses of the privilege.

Sincerely yours,

HARRY S. WHITE.

LONG BEACH, CALIF., *January 14, 1964.*

Hon. OREN HARRIS,  
*House of Representatives,*  
*Washington, D.C.*

DEAR SIR: May I respectfully request that you get your committee to bring H.R. 8068, pertaining to 2-for-1 blind privilege on airplanes now enjoyed by them on trains and buses.

I learned of the Honorable J. Arthur Younger's bill in the new Outlook of the Blind, presented by him the 1st session of this 88th Congress.

I am a blind retired Methodist minister and a World War I veteran. I am chaplain of the Associated Blind of California and a member of the executive board of this incorporated body.

Hoping this bill passes the 2d session of the 88th Congress or at least gets to the floor for final action, I am,

Sincerely yours,

Dr. HARRY G. EARLE.

(Whereupon, at 12:20 p.m., the committee adjourned, subject to the call of the Chair.)

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