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JONES, BAUM, AND HADDON NOMINATIONS

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HEARING BEFORE THE COMMITTEE ON COMMERCE UNITED STATES SENATE EIGHTY-NINTH CONGRESS

SECOND SESSION

ON

NOMINATIONS OF

MARY GARDINER JONES, FEDERAL TRADE COMMISSIONER

DR. WERNER A. BAUM, DEPUTY ADMINISTRATOR OF THE ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

DR. WILLIAM HADDON, JR., TRAFFIC SAFETY ADMINISTRATOR

OCTOBER 13, 1966

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HEARING
BEFORE THE
COMMITTEE ON COMMERCE
UNITED STATES SENATE
EIGHTY-NINTH CONGRESS
SECOND SESSION

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JONES, BAUM AND HADDON NOMINATIONS

THURSDAY, OCTOBER 13, 1966

U.S. SENATE,
COMMITTEE ON COMMERCE,
Washington, D.C.

The committee met at 9:30 a.m. in room 5110, New Senate Office Building, the Honorable Warren G. Magnuson, chairman of the committee, presiding.

The CHAIRMAN. The committee will come to order.

This morning the committee will hold hearings on three important nominations. The first is Mary Gardiner Jones, who is nominated to be a Federal Trade Commissioner for a term of 7 years from September 26, 1966. Miss Jones, the first woman Trade Commissioner in over 50 years, came before this committee last year to fill an unexpired term.

The second nomination is Dr. Werner A. Baum, who is nominated to replace Admiral Karo as Deputy Administrator of the Environmental Science Services Administration.

Dr. William Haddon, Jr., is nominated to be Traffic Safety Administrator, a new position created by the National Traffic and Motor Vehicle Safety Act which this committee also handled.

I don't know how this happened, but by coincidence all of these distinguished people come from the State of New York.

Senator Javits said he would try to be here this morning. Senator Kennedy called me and said that he was necessarily detained in New York, but he has submitted letters for the record endorsing the nominees. Senator Javits is also endorsing the nominees. We will put the letters in the record at this time in full.

(The letters follow:)

SEPTEMBER 26, 1966.

HON. WARREN G. MAGNUSON,
*Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: In response to your letter of September 20 regarding the nomination of William Haddon, Jr. of New York, to be Traffic Safety Administrator, Department of Commerce, I wish to inform you that I have approved this nomination. Mr. Haddon has an extensive background in this field and is superbly qualified for this position.

With best wishes,
Sincerely,

JACOB K. JAVITS, *U.S. Senator.*

Staff counsel assigned to this hearing: Donald W. Brodie.

OCTOBER 4, 1966.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: I wish to advise that I approve of the nomination of Mary Gardiner Jones to be a Federal Trade Commissioner, and the nominations of William Haddon, Jr., to be Traffic Safety Administrator, and Werner Baum, to be Deputy Administrator, ESSA.

With warm regards,
 Sincerely,

JACOB K. JAVITS, *U.S. Senator.*

 OCTOBER 12, 1966.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am pleased to endorse the nomination of Dr. William Haddon, Jr. of New York as Traffic Safety Administrator of the Department of Commerce.

Dr. Haddon is a nationally recognized expert in the field of public health and in traffic safety problems in particular. He has demonstrated his personal integrity and initiative in the positions of public responsibility that he has held.

I believe that Dr. Haddon is well qualified to serve as the first Administrator of the National Highway Safety Agency and urge that his nomination be considered favorably.

I would appreciate it if this endorsement could be made a part of the record of Dr. Haddon's nomination.

Sincerely,

ROBERT F. KENNEDY.

 OCTOBER 12, 1966.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am happy to endorse the renomination of Mary Gardiner Jones of New York as a member of the Federal Trade Commission.

Miss Jones has been building a record of achievement with the Trade Commission that matches her distinguished career with the Justice Department and in the practice of law. Her performance as Trade Commissioner certainly merits her reappointment.

I would appreciate it if this letter would be made a part of the record of the hearings on Miss Jones' renomination.

Sincerely,

ROBERT F. KENNEDY.

 OCTOBER 12, 1966.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D. C.

DEAR MR. CHAIRMAN: I am glad to endorse the nomination of Dr. Werner A. Baum, of New York, as Deputy Administrator of the Environmental Science Services Administration of the Department of Commerce.

Dr. Baum has had a distinguished career in the atmospheric sciences and in research.

I urge that Dr. Baum's nomination be considered favorably.

I would appreciate it if this letter could be made a part of the record of the hearing on Dr. Baum's nomination.

Sincerely,

ROBERT F. KENNEDY.

The CHAIRMAN. Mary Jones will be the first witness. Will you come forward, please?

We have your biographical sketch. We will place that in the record in full.

(Biographical sketch of Mary Gardiner Jones follows:)

BIOGRAPHICAL SKETCH OF MARY GARDINER JONES

Mary Gardiner Jones was born on December 10, 1920, in New York City, New York, where she was graduated from the Nightingale-Bamford School in 1939. After receiving her B.A. degree at Wellesley College, Wellesley, Mass., in 1943, she taught history for one year at the George School, Newtown, Pennsylvania. In June 1944, she joined the Office of Strategic Services as a research analyst, where she was in charge of the Swiss desk and in addition specialized in international law problems.

In February 1946, Miss Jones left government service to enter the Yale Law School. While at Yale, Miss Jones was a member of the Yale Law Journal and was named Managing Editor in her senior year. She received her LL.B. in June 1948 and was made a member of the Yale Chapter of the Order of the Coif.

After her graduation from law school, Miss Jones joined the New York law firm of Donovan Leisure Newton & Irvine, where she engaged in general law practice involving all types of law including business, constitutional and international law and in addition acted as special assistant to General William J. Donovan. In January 1953, Miss Jones joined the Justice Department as a trial attorney for the Antitrust Division in the New York office, where she participated in several large antitrust cases and was the chief attorney in charge of the trial of *United States v. The Watchmakers of Switzerland Information Center*, an international cartel case.

In October 1961, Miss Jones left the Department of Justice and became associated with the law firm of Webster Sheffield Fleischmann Hitchcock & Chrystie, where she engaged exclusively in trial and antitrust work.

Miss Jones has served as a Commissioner on the Federal Trade Commission since October 29, 1964, first under a recess appointment signed by the President on October 17, 1964, and thereafter by confirmation of the Senate to fill out the unexpired term of her predecessor, Governor Sigurd Anderson, which runs until September 1966.

Miss Jones has contributed several articles to legal periodicals. She is a member of the Antitrust Section and of the Joint Committee on Antitrust Problems and International Trade and Investment of the American Bar Association, the Association of the Bar of the City of New York, the Federal Bar Association, the International Law Association, and the panel of arbitrators of the American Arbitration Association.

The CHAIRMAN. I see that you are a New Yorker.

STATEMENT OF MARY GARDINER JONES, NOMINEE TO THE
FEDERAL TRADE COMMISSION

Miss JONES. That is correct, sir.

The CHAIRMAN. Of the law firm of Donovan, Leisure, Newton, & Irvine, where you have been engaged in the general law practice involving all types of law, including business, constitutional, and international law as special assistant at one time to General Donovan, who was well known as "Wild Bill."

Miss JONES. That's right, sir.

The CHAIRMAN. You joined the Justice Department as a trial attorney for the Antitrust Division in the New York office, where you participated in several antitrust cases. You were chief attorney in charge of the very important trial, *United States v. The Watchmakers of Switzerland Information Center*. And then you left the Department to become associated with another law firm, Webster, Sheffield, Fleischmann, Hitchcock, & Chrystie, where you engaged in the same type of work; is that correct?

Miss JONES. That is correct.

The CHAIRMAN. You have been on the Federal Trade Commission since October 29, 1964, first under a recess appointment, on October

17. And thereafter as confirmation of the Senate for the full unexpired term of Governor Anderson, which did run until September 1966.

Miss JONES. That is right.

The CHAIRMAN. So that if this committee sees fit to recommend you, you will be serving them from September 1966, for the 7-year full term; is that correct?

Miss JONES. That is right.

The CHAIRMAN. There is a Senate resolution—I guess you are familiar with it—which we passed in 1960, which states that “It is the sense of the Senate that individuals appointed to administrative policymaking posts should be willing to serve for a period long enough to permit them to contribute effectively to their assigned tasks.”

It goes on further to say that “It is the sense of the Senate that nominees appearing before its committee shall indicate their willingness to serve as long as the President desires.”

Sometimes people cannot serve their terms for many reasons, personal or health reasons. What is your intention in this particular case?

Miss JONES. Sir, it is my hope and my intention to serve the full term.

The CHAIRMAN. The law also states that three of the five Commissioners shall be—not more than three—shall be a member of the same political party. I have to ask you whether you are a Republican or a Democrat.

Miss JONES. I am a Republican, sir.

The CHAIRMAN. You are what?

Miss JONES. A Republican.

The CHAIRMAN. After reading the names of those law firms, I think that might be the logical answer.

Senator COTTON. She said when she was first appointed she was a strong Republican.

Miss JONES. No change.

The CHAIRMAN. You have submitted a financial statement which will place in the committee files. It is open for anyone who wants to look at it.

The Department of Commerce recently announced—and this committee is vitally interested in this because the bill came from this committee—that the Federal Trade Commission is working on standards for advertising, labeling, and grading of tires. Are you involved in that work at all?

Miss JONES. I think it is the Department of Commerce that will be developing the standards under the new appropriation.

The CHAIRMAN. They have asked you to cooperate.

Miss JONES. That is right. And, very much, we will.

The CHAIRMAN. Are you in favor of what the Federal Trade Commission is doing?

Miss JONES. Very much so.

The CHAIRMAN. Would you tell us about that?

Miss JONES. What we are doing now is trying to make sure that our guides, which we have promulgated, will go into effect. They are due to go into effect February 19. The industry has come to us and said there may be some problems due to some of the material they have to disclose pursuant to the legislation. So we are just in the process now of advising the industry that we will not require

them to put our information on the mold of the tire until July. This ought to give them a 6-months period so they won't have to pull the molds out of production unnecessarily. Accordingly, we have informed the industry that up to July 31, 1967, the material disclosures which our guides require and which the legislation requires will go on a gummed label to be affixed to the tire so the consumer will have it, but not in exactly the same form that we provided in our guides.

Our job is to help the industry work their problems out with this, if they have interpretive problems, to come to us. We want to work with Dr. Haddon on this very closely, so we don't put the industry in a conflicting situation.

The CHAIRMAN. You are not involved in the grading?

Miss JONES. No.

The CHAIRMAN. You are involved in the labeling and the advertising?

Miss JONES. That is correct.

The CHAIRMAN. And the Department of Commerce has asked you people in the Federal Trade Commission for advice on this particular phase of automobile tires.

Miss JONES. That is right. We have collected a lot of information. We sent a copy of some of our reports already to Dr. Haddon, and we have an expert staff which will be available to him, too.

The CHAIRMAN. We will put your biographical sketch in the record in full. I have no further questions.

You did appear before the committee in February 1965. There were a number of questions asked you then about your work and what you felt was the responsibility of the Commissioner at the Federal Trade Commission. That is all in the record for anyone to look at.

I have no further questions. Senator Cotton?

Senator COTTON. Mr. Chairman, I have read the testimony of the previous hearing when Miss Jones was first confirmed. I am impressed by her qualifications. Although there might be some questions about present policy of the Commission, we are pressed for time this morning and I won't have any further questions. I only say that I am heartily in accord with her confirmation.

The CHAIRMAN. Senator Bartlett?

Senator BARTLETT. No questions, Mr. Chairman.

The CHAIRMAN. Thank you very much.

Miss JONES. Thank you, Senator.

The CHAIRMAN. Dr. Baum?

Dr. Baum has submitted biographical data which we will place in the record in full.

(Biographical data follows:)

BIOGRAPHICAL SKETCH OF DR. WERNER A. BAUM

Dr. Werner A. Baum, Vice President for Scientific Affairs of New York University, has been nominated by President Johnson as Deputy Administrator of the Environmental Science Services Administration, U.S. Department of Commerce.

Dr. Baum, born April 10, 1923, in Germany, was graduated from the University of Chicago with a B.S. in mathematics in 1943. He received an M.S. in meteorology there in 1944, and a Ph.D. in meteorology in 1948.

His professional career began at Chicago University's Department of Meteorology as a graduate assistant in 1943. In 1947 he joined the University of Maryland as a research associate and assistant professor in the Department of Geography.

Dr. Baum went to Florida State University in 1949 as associate professor and head of the Department of Meteorology. He became a full professor in 1951 and served in that capacity until 1958. He was named Director of University Research in 1957 and Dean of the Graduate School and Director of Research in 1958. He was appointed Dean of the Faculties in 1960 and Vice President for Academic Affairs in July 1963.

In September 1963 he was appointed Vice President for Academic Affairs, Dean of the Faculties, and Professor of Meteorology at the University of Miami. He went to New York University in August 1965.

Dr. Baum is secretary and trustee of the University Corporation for Atmospheric Research, chairman of the National Science Foundation's Advisory Panel of Atmospheric Sciences Program, and chairman of the American Meteorological Society's Commission on Education and Manpower.

Among the honors received by Dr. Baum has been a Special Citation of the American Meteorological Society for "successful leadership in developing the *Journal of Meteorology* into a large publication of high international stature over a decade of very demanding editorial effort". He is an honorary member of Phi Kappa Phi (University of Miami Chapter) and Phi Beta Kappa (Florida State University Chapter). He is married and has two children, Janice and Sandra.

Other Current Professional Activities

Member, Committee on Sponsored Research, American Council on Education
Member, Advisory Board, Meteorological and Geostrophysical Abstracts,
American Meteorological Society

Director, Fund for Overseas Research Grants and Education
Councilor, Interuniversity Communications Council

Past Professional Activities

Editor, *Journal of Meteorology*, American Meteorological Society, 1949-1957;

Editor-in-Chief of Periodicals (*Journal of Meteorology*, *Bulletin of the American Meteorological Society*, *Meteorological Monographs*). 1957-1961.

Councilor, American Meteorological Society, 1956-1959, 1963-1966.

Councilor, American Association for the Advancement of Sciences, 1955-1956.

Member of the Council, Oak Ridge Institute for Nuclear Studies, 1958-1962.

Chairman, Panel on Education, Committee on Atmospheric Sciences, National Academy of Sciences, 1962-1964

Chairman, Advisory Committee on Education and Training, U.S. Weather Bureau, 1964-1966.

Member, Board on Russian Translation Projects, American Geophysical Union, 1958-1964.

Member, Executive Reserve, U.S. Weather Bureau, 1958-1963.

Member, Committee on Climatology, National Academy of Sciences, 1955-1958.

Chairman, Board for Meteorological Education in Universities, American Meteorological Society, 1962-1966.

President, FSU Chapter of Sigma Xi, 1951-1952.

President, FSU Chapter of American Association of University Professors, 1952-1953.

Miscellaneous Honors

Sigma Xi

Delta Sigma Pi

Fellow, American Association for the Advancement of Science

Fellow, American Geophysical Union

Partial List of Publications

Russian-English dictionary of meteorological terms and expressions. Hobart Publishing Company, Washington. (1949)

Frequency distributions of predominant tropopause heights along 80°W in summer. (with J. M. Havens). *Bulletin of the American Meteorological Society*, Volume 37, Number 3. (1956)

Assessment of the effect of commercial cloud seeding in north Florida and south Georgia, 1955-56. (with S. E. Asplund, R. M. Henry, Wm. E. Long, and S. L. Rosenthal). *Quarterly Journal of the Florida Academy of Sciences*, Volume 19, Numbers 2-3. (1956)

Long-range weather forecasting in the Soviet Union. (with P. D. Thompson). *Bulletin of the American Meteorological Society*, Volume 40, Number 8. (1959)

The education of teachers: If I had my way. In *The education of teachers: Curriculum programs*, National Education Association of the United States, Washington. (1959)

- Editor-in-Chief, *Meteorological Monographs*, American Meteorological Society, Numbers 21 through 24. (1959-1961)
- Report from your Editor. *Bulletin of the American Meteorological Society*, Volume 41, Number 10, (1960)
- Education for the emerging scientific culture. *The Educational Record*, Volume 43, Number 1. (1962)
- The role of university research in economic development. (with J. E. Mahoney). *In Essays on Florida's Economic Development*, The Council on Economic Development, Tallahassee. (1963)
- Meteorology and climatology. *Collier's Encyclopedia*, Volume 16. (1963)
- Our problems in education. *Weatherwise*, Volume 17, Number 3. (1964)
- University organization for geophysics education. *Science*, Volume 146, Number 3644. (1964)

**STATEMENT OF DR. WERNER A. BAUM, NOMINEE TO REPLACE
ADMIRAL KARO AS DEPUTY ADMINISTRATOR OF THE ENVIRONMENTAL
SCIENCE SERVICES ADMINISTRATION**

The CHAIRMAN. I see that most of your work in the past has been in meteorology; is that right?

Dr. BAUM. Primarily. Academic administrator.

The CHAIRMAN. In that field you have been quite active, both as a professor and in other fields. Mainly as a professor, as a teacher; is that right?

Dr. BAUM. Primarily, and researcher.

The CHAIRMAN. Have you ever been in government before?

Dr. BAUM. Only for temporary periods.

The CHAIRMAN. What was the nature of that work?

Dr. BAUM. Apart from 2 years of military service in the Navy—

The CHAIRMAN. I meant in this field.

Dr. BAUM. Three months with the Air Weather Service in the Air Force in the summer of 1953, and then consultant services to the National Science Foundation.

The CHAIRMAN. I do want to point up a matter here that is of interest to the committee, which I am sure you won't take personally. It has nothing to do with you at all. As we noted from your biography, you are a meteorologist. Dr. White, the Administrator of the Department, is also a meteorologist. Is that correct?

Dr. BAUM. That is correct.

The CHAIRMAN. And your predecessor, who I see here this morning, was closely identified with oceanography; is that correct?

Dr. BAUM. Primarily.

The CHAIRMAN. If you don't know, I will say that he was.

Dr. BAUM. Yes, sir.

The CHAIRMAN. Of course, oceanography is a subject very vital and close to us in this committee. I want to say that while I will recommend that your nomination be approved, I feel that the President in nominating individuals for positions such as this, should nominate people with backgrounds of various aspects in this field, including oceanography, which now is within the agency. As a matter of fact, when we made this change in the Department, we strongly suggested that the two top spots need not be both in the same field.

Have you anything to add to that? Do you know how you were picked, because you were also a meteorologist?

Dr. BAUM. I don't know how I was picked. That is a question—

The CHAIRMAN. Did you solicit the job?

Dr. BAUM. Certainly not.

The CHAIRMAN. They went out and got you?

Dr. BAUM. That is correct.

The CHAIRMAN. Who first talked to you about it?

Dr. BAUM. Dr. White first talked to me.

The CHAIRMAN. Who is a colleague of yours in meteorology; is that right?

Dr. BAUM. That's correct.

The CHAIRMAN. I say this is no reflection on your qualifications, but this committee thought, and we could have written it into the change in the law, that we should have a little bit of a spread down there, and not have you all in the same scientific category.

Dr. BAUM. May I make an observation?

The CHAIRMAN. Yes.

Dr. BAUM. Insofar as it applies to me personally—

The CHAIRMAN. I hoped you were going to say you would get out of meteorology and pay attention to oceanography.

Dr. BAUM. Let me assure you that it will receive a great deal of attention.

I should also point out that my present professorial appointment is in the department of meteorology and oceanography and that for the last 10 years I have been engaged in general university administration as a university vice president, and in each case that institution had a major oceanographic program. And I studied some oceanography a student. So there is a considerable background that I do have in oceanography, although I do not call myself an oceanographer and am not an oceanographer.

The CHAIRMAN. We didn't make a prohibition in the law, but for the record I want to read what we did. We said:

(2) The office of Deputy Administrator may be filled at the discretion of the President by appointment (by and with the advice and consent of the Senate) from the active list of commissioned officers of the Administration in which case the appointment shall create a vacancy on the active list and while holding the office of Deputy Administrator the officer shall have rank, pay, and allowances not exceeding those of a vice admiral.

This language, when it was approved by Congress, while it is permissive and not mandatory, seems to me is being ignored a little more than a year after we approved it. And there may be some question—I don't know—on the floor of the Senate about completely ignoring what the intent of the reorganization was.

Again I say, it has no reflection on you or your field. I don't know whether you can make that shift from a meteorologist to an oceanographer very quickly. Can you?

Dr. BAUM. There is a very close relationship between the two.

The CHAIRMAN. There is?

Dr. BAUM. Yes.

The CHAIRMAN. Can you assure us that you will put your emphasis on this very, very vital and important field?

Dr. BAUM. I can so assure you; yes, sir.

The CHAIRMAN. You heard the questions that I asked the Federal Trade Commissioner Mary Jones, about the Senate resolution regarding service. What are your plans on that?

Dr. BAUM. Of course, this is not a fixed-term appointment.

The CHAIRMAN. I understand.

Dr. BAUM. It is at the pleasure of the President.

The CHAIRMAN. Yes.

Dr. BAUM. And I intend so to serve.

The CHAIRMAN. And you have submitted a financial statement which will be part of the files. I repeat that it is open to the public.

We are considering a bill which I am sure you must be familiar with, S. 2916, on weather modification. What views do you have on that bill? I know you are familiar with it.

Dr. BAUM. I have not read the bill, Senator, so I am not familiar with the details. I am familiar with the general objectives.

The CHAIRMAN. You are familiar with the general objectives of the bill, put it that way.

Dr. BAUM. There is no question in my mind that this is a subject of fundamental importance which requires concerted attention and action. I assume that what the bill calls for will lead to the desired results.

The CHAIRMAN. We would like to have your views on the bill, as long as you are going to play such an important part, if you are confirmed, in the administration of it.

(The following letter was subsequently received:)

NEW YORK UNIVERSITY,
New York, N.Y., October 13, 1966.

HON. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In response to your request at my confirmation hearing this morning, I have read S. 2916 (Amendment No. 564) dated May 12, 1966, The Weather Modification Act of 1966.

In principle, this bill has my strong endorsement. It proposes a timely approach to a problem of the utmost practical and scientific significance. As recently pointed out by the Panel on Weather Modification of the National Academy of Sciences and by the Special Commission on Weather Modification of the National Science Foundation, the development of knowledge has reached the juncture where major economic and social benefits may be attained from a concerted attack on control of atmospheric phenomena. S. 2916 provides the basis for such a national effort.

While I have some questions in regard to certain of the details of the bill, adoption of the principles embodied appears of primary importance at this time.

Sincerely yours,

WERNER A. BAUM,
Vice President for Scientific Affairs.

The CHAIRMAN. You have already stated that you think the relative importance of oceanography is a matter to which you are going to direct your energies and your concern.

A report from the Office of Federal Coordinator for Meteorological Services and Supporting Research states:

For a significant advance in forecasting accuracy, a reformulation of the physical problem and a different approach to data collection may be necessary.

I think the question would be: Does this mean that the old approach is not satisfactory or invalid?

Dr. BAUM. I think it means that, as everyone knows, we have a long way to go in terms of our capability to provide weather predictions. It involves a great deal of improvement of our scientific understanding of phenomena involved. And there is, of course, always room for improvement of services as well. It is a combination of those two things that is required.

The CHAIRMAN. When you get down there, I think you ought to devote yourself to clearing up, too, some of these statements that seem to conflict.

The Office of the Federal Coordinator also stated, and I quote:

One of the most critical responsibilities of the aviation meteorological service is to inform airborne pilots of hazardous conditions.

Then, in the same breath, they said:

Supporting research in analysis and prediction of hail and aircraft icing, areas of considerable interest to aviation, are minimum.

Dr. BAUM. There is a job to be done, I would say.

The CHAIRMAN. I think there is. Maybe there ought to be some editing of the statement. But that is part of your responsibility down there.

Dr. BAUM. I understand.

The CHAIRMAN. I have no further questions.

Senator COTTON. No questions, Mr. Chairman.

Senator BARTLETT. No questions.

The CHAIRMAN. Thank you very much.

Dr. BAUM. Thank you.

The CHAIRMAN. Dr. William Haddon. Dr. Haddon is nominated for a new position. Technically he is a special assistant for traffic safety planning under the Under Secretary of Transportation in the Department of Commerce.

His biographical sketch will be placed in the record in full.

(The biographical sketch of Dr. William Haddon, Jr., follows:)

BIOGRAPHICAL SKETCH OF DR. WILLIAM HADDON, JR.

Dr. William Haddon, Jr. is Special Assistant for Traffic Safety Planning to the Under Secretary for Transportation, U.S. Department of Commerce. A physician with degrees from the Massachusetts Institute of Technology, Harvard Medical School, and the Harvard School of Public Health, Dr. Haddon is an authority on accident prevention and research.

He has had exceptionally broad experience in public administration. In his ten years with the New York State Department of Public Health, his positions included those of Acting Assistant Commissioner for Public Health Research, Development and Evaluation, Associate Director of the Division of Chronic Disease Services, Director of the department's program for training public health research workers, and Director of the Driver Research Center established by the New York State Department of Health and the State Bureau of Motor Vehicles during the Administration of Governor Harriman.

He has served as consultant to many government and private groups. He is a member, and has previously served as Vice Chairman of the Committee on Alcohol and Drugs of the National Safety Council. He is also a member of: the Commission on Military Accidents of the Armed Forces Epidemiological Board, Department of Defense; the Secretary's Advisory Committee on Traffic Safety, Department of Health, Education, and Welfare; the Scientific Advisory Committee, Consumers Union; the Committees on Road User Characteristics and Highway Safety of the Highway Research Board; and the Council of Medical Administrators. He is a Fellow of the American Public Health Association and a member of its Program Area Committee on Injury Control and Emergency Services.

Dr. Haddon is the author of forty scientific publications concerned primarily with accidents and other problems related to environmental hazards. The awards he has received include the National Safety Council-Metropolitan Life Award of Merit for Research in Accident Prevention. He is, in addition, the senior author of "Accident Research, Methods and Approaches," an award winning text published in 1964.

Dr. Haddon is married to the former Gene Billo of Pawling, New York. They have three children, Jonathan, Charles, and Robert.

The CHAIRMAN. I see you have been, for some time, in the New York State Department of Public Health.

**STATEMENT OF DR. WILLIAM HADDON, JR., NOMINEE TO BE
TRAFFIC SAFETY ADMINISTRATOR**

Dr. HADDON. That is correct.

The CHAIRMAN. What was your work there?

Dr. HADDON. I occupied a variety of positions over 10 years.

The CHAIRMAN. What were your special duties?

Dr. HADDON. My special duties included responsibility for the training of research workers, public health research workers, and for programs in the department concerned with a wide range of public health problems.

The CHAIRMAN. Were they mainly devoted to highway traffic safety?

Dr. HADDON. During a period from 1957 to 1961, I was exclusively concerned with the problems of highway safety, particularly from a medical standpoint.

The CHAIRMAN. That is, the health or the condition of the driver?

Dr. HADDON. Yes. We were concerned not only with that aspect, but also with the extent to which such factors as alcohol and drugs were contributing to highway accidents and the ways in which we could better ascertain the extent to which this was so.

The CHAIRMAN. I note that one of your important papers was the "Accident Research, Methods and Approaches," in 1964. What did you do there? Did you make a long study into this matter?

Dr. HADDON. No; this was a book of some 750 pages in length—

The CHAIRMAN. It is published now as a book?

Dr. HADDON. That is correct. Which I prepared with two co-authors at the request of a New York foundation, which was concerned by the fact that there was no single document or volume with which those coming into accident research and concerned with accident prevention programs could consult to find out what was known in the field and what needed to be done.

We pulled together in this many of the few classical studies with commentaries, and published this as a volume in 1964.

The CHAIRMAN. Did you come to many conclusions in the book?

Dr. HADDON. I think the overwhelming conclusion was that a great deal more attention needs to be paid to this field by all concerned, particularly by the research workers and program people who have the professional experience to do the many things that need to be done.

The CHAIRMAN. I think we all agree. That is obvious, that more should be done in all these fields, as long as there are so many accidents happening.

What specifics did you arrive at? What should a State do, or what should the Federal Government do in the field of driver education, for example?

Dr. HADDON. Mr. Chairman, the purpose of the volume was not to design State programs, or programs for other groups, but rather to help research workers in studying how to approach the problems in this field from a scientific standpoint.

The CHAIRMAN. When you are all through with it, what did you feel you accomplished?

Dr. HADDON. Judging from the reception which this book has received, many people are finding it useful in organizing their approaches to the many fields with which it deals.

The CHAIRMAN. In what fields?

Dr. HADDON. As I mentioned, we were not concerned with designing State programs in this volume. Someone else needs to do that job. This is one of the things I would expect the new agency to undertake. We were rather concerned with pointing out to people coming from other professional fields the opportunities in this field to contribute to the solutions of the problems it has.

The CHAIRMAN. Leave the book out. How would they contribute? Would they change the laws, or would they apply more driver education, stricter driver licensing or what?

Dr. HADDON. As one example, we summarized what was known about means to restrain the passenger in crashes, for example, with various kinds of seat belts. We pointed out the information that was needed where the questions were, and expressed the hope that the people, the engineers and so forth who had not been contributing to this field, would begin to do so.

The CHAIRMAN. Of course, and we hope we have covered that in the auto safety bill. What about the driver himself?

Dr. HADDON. We paid a great deal of attention to many aspects of the driver, including medical aspects, psychological aspects, drugs, alcohol, and so forth. And in each one of these areas summarized what was already known and the questions that were remaining.

The CHAIRMAN. You don't need to write a book to discover that the drunken driver is a menace on the highway, do you?

Dr. HADDON. I completely agree.

The CHAIRMAN. What do you suggest? What are you going to suggest: That you have stricter licensing, or that States have more uniform laws, or stiffer penalties when they are caught, or what?

Dr. HADDON. One of the problems that we pointed out was that we do not yet know adequately the extent to which the drunker driver is a social drinker as opposed to an alcoholic. There is some recent evidence that suggests that the bulk of this problem is coming from alcoholics and other problem drinkers rather than from ordinary social drinkers. If this is the case, this suggests that some of the usual approaches may not be as effective as others more tailored to groups of this sort, and we pointed this out.

The CHAIRMAN. Did you go into the question of age of drivers?

Dr. HADDON. We concerned ourselves also with this problem and pointed out that we just don't know enough at present to answer all of the questions that are needed to be answered if well-based, scientifically based programs, are to be mounted in approaching the problems of this group.

The CHAIRMAN. Did you go into the problem that most States and local communities have, the licensing of young drivers and at what age they should have a license?

Dr. HADDON. We went into the existing evidence as to the extent to which youngsters have higher accident rates, and some of the problems this is posing to enforcement people and licensing people.

The CHAIRMAN. Do you recall your findings of the percentage of accidents involving drivers that are under 20?

Dr. HADDON. I don't have the exact figure in my head.

The CHAIRMAN. Do you have it generally?

Dr. HADDON. Generally people in this group have far more accidents than you would expect from their numbers.

The CHAIRMAN. What about people over 60, or over 70?

Dr. HADDON. To some extent people in the older age groups have more deaths per thousand licenseholders, for example, but this may be in substantial part due to the fact that they are more fragile and clinically they don't do as well once they are injured.

I think that before we assume that this is because they get into more accidents we need to answer questions precisely of this sort.

The CHAIRMAN. Percentage-wise, do they get in more accidents between 20 and 60 or 65?

Dr. HADDON. This seems to be the case, but the evidence isn't clear because usually deaths and injuries are counted, both of which would be influenced by greater susceptibility to injury itself.

The CHAIRMAN. Is this study, which is now a book, more statistics than it is conclusions?

Dr. HADDON. I would say it is more scientific than concerned with—

The CHAIRMAN. Science is also concerned with statistics.

Dr. HADDON. It contains a great deal of statistical information.

The CHAIRMAN. What do you conceive the job of the traffic safety planning to be under the new bill?

Dr. HADDON. I conceive of it as carrying out the intent of the Congress and the letter of the two acts involved.

The CHAIRMAN. But what do you conceive to be the intent of Congress?

Dr. HADDON. To move as rapidly and as practically and as energetically as possible to reduce the tragedy that we are all concerned with.

The CHAIRMAN. You still don't quite answer my question. What do you intend to do, yourself?

Dr. HADDON. First of all to build an organization to concern itself and its several parts with the details, the many details that we have to pay very careful attention to.

The CHAIRMAN. You have all the details. You have them in your book. You know what you think should be done. What do you intend to do?

Dr. HADDON. We intend to systematically go after each and every one of the problems that we know make up this very complicated field. Our first job is to obtain the necessary appropriations, the necessary staff, to concern itself with the details. For example, at present we are existing on charity and the kind graces of the Commerce Department and others who have loaned us personnel.

The CHAIRMAN. I don't know about your appropriations, but we recommended that we authorize \$90 million in this field, and \$26 million came up from the administration. Do you think you can do it on that \$26 million?

Dr. HADDON. If I may, I would like to comment on the bulk of that difference. This relates to the Highway Safety Act of 1966, with an authorization of \$67 million for State and community programs. It is my understanding that this is contracting authority and that we should proceed in complying with that intent. What we have asked for in that respect is \$12 million to begin paying the bills until we can get a better idea of the extent to which the States, during this fiscal year, will be able to present vouchers against the total amount authorized.

We intend to come back for a supplemental appropriation as soon as it becomes evident—as soon as we have a better idea of the extent to which the States will be able to spend those moneys.

The CHAIRMAN. I get the impression that you are just going to make some studies down there. I haven't heard any ideas of what you are going to do.

Dr. HADDON. That is not correct. We intend to meet the deadlines of both acts in specifying, after working jointly with the other groups involved, on standards not only for vehicles and vehicle equipment, but also for State programs.

The CHAIRMAN. What is your idea of the coordination of the Federal and State programs under the act?

Dr. HADDON. I think that this coordination should be very close. In this direction Secretary Connor has already written the Governors of the several States requesting the appointment of liaison men to work directly with the office with which we are concerned.

The CHAIRMAN. From each State?

Dr. HADDON. That's correct.

The CHAIRMAN. Just one man?

Dr. HADDON. We would work initially with one man, but also directly, as we develop the necessary staff, with all of the people involved.

The CHAIRMAN. I think you will find that most States have some committees on traffic safety that contribute to the highway patrol or the Governor's commission on safety.

Dr. HADDON. That is correct, and I have served on two such committees in New York State.

The CHAIRMAN. I think most States have that.

Dr. HADDON. That is correct.

The CHAIRMAN. In fact, I think all of the States may.

When do you think, under the law, that you will be required to make some recommendations to the States time-wise?

Dr. HADDON. We would hope within 2 months to begin to make recommendations on some of the easier questions. We think that others are going to require considerably more study.

The CHAIRMAN. I don't like your word "study" all the time.

Dr. HADDON. I don't mean study in the scientific sense. I mean all the details of staff work and coordination with the States to find out exactly what practical problems they have in relation to the details of financing.

The CHAIRMAN. I understand, gathering details and advice, but I don't think you need to study it.

Dr. HADDON. That is what I meant, sir.

The CHAIRMAN. We have a warehouse full of studies. We want you to take some action down there.

Dr. HADDON. We intend to.

The CHAIRMAN. I have several questions which I will submit to you in a letter. You can answer for the record. They will deal generally with this same subject.

There is one question—you coming from New York—that I would like to ask you. New York State, as you know, has embarked on a safety car project.

Dr. HADDON. That is correct.

The CHAIRMAN. And it was subcontracted to the Republic Aviation Corp. What is your opinion of this undertaking in terms of value

to car safety and setting of standards and so forth? Would you favor, as far as you know, the provision of Federal funds to a State project such as New York?

Dr. HADDON. I would favor it if it seemed apparent that it would contribute to highway safety.

The CHAIRMAN. In other words, you wouldn't be unwilling to recommend that if a State like New York had proceeded in this matter, which they have, and they have done some fine pioneering work, that this might be helpful to everybody and therefore you might be in a position to help them?

Dr. HADDON. Absolutely.

The CHAIRMAN. I don't suppose you could do this in 50 States.

Dr. HADDON. I think that we need as much initiative in as many places as possible. If this contributes to that, I would be in favor of it.

The CHAIRMAN. This might be a laboratory where the New York State would help solve some of the problems that are national.

Dr. HADDON. I believe that has already been the case.

The CHAIRMAN. Since we passed the bill there has been a lot said, and a lot of questions asked, about car standards. When you look at cars today, people talk in terms of small cars and big cars. And naturally a small car has more problems in safety than a big car for many reasons that you know. Do you envision that the standards will apply across the board to all cars, or that they might be divided into type of car—small, medium, or large?

Dr. HADDON. This is a matter we are already studying.

The CHAIRMAN. You are studying again.

Dr. HADDON. Let me correct myself. We are already concerning ourselves.

The CHAIRMAN. You are looking at it?

Dr. HADDON. We are looking at it. I think that obviously standards cannot apply uniformly to vehicles of all sizes, for example, trucks on the one hand and passenger cars on the other. We are aware of the precedent under the clean air standards program for adjusting studies in terms of some measure of vehicle size. This may very well be a reasonable step in this area as well.

The CHAIRMAN. There are many parts of the act where decisions have to be made as to how they will be implemented. The question of informing car buyers, things of that kind. We will send you the remaining questions and you can answer them and put them in the record.

Dr. HADDON. I will appreciate that.

The CHAIRMAN. I have no further questions of Dr. Haddon. Senator Cotton?

Senator COTTON. I have two or three brief questions. To be specific, in my State we require that when a person reaches the age of 70 he must take a new examination to test his capacity for driving, including a physical examination, before he can renew his driver's license, and he must take such a test each year after he has passed 70. Do you consider that a good and necessary step, or are you doubtful about it?

Dr. HADDON. I think that there are some components of an examination of that sort that should be applied to all drivers. For example, a vision test. I am not sure of the experience of your State and would want to know more about it with reference to the other things in the test.

Senator COTTON. You mean that you think that States should consider having a vision test every year, no matter what a person's age is?

Dr. HADDON. I think that the timing of such a test should be determined by those closest to the conditions in their area, and should not be mandated from Washington.

Senator COTTON. So you would have no particular opinion about our own provisions of people who have reached the age of 70, from then on?

Dr. HADDON. I would say this: I do not think that age itself should be the determinant of whether or not a person drives. I think that his own individual capacity should determine this.

Senator COTTON. I believe you testified that more fatalities of those 70 and over might be due to their physical condition. I am talking about their capacity and ability to drive an automobile. Wouldn't you, as a physician, consider that there should be some extra precautions? Some men are aged at 66, and others are comparatively alert and young at 76.

Dr. HADDON. Yes, I would.

Senator COTTON. Wouldn't you think that there should be some special precautions taken in issuing licenses to people who have passed the age of 70?

Dr. HADDON. Yes, I would.

Senator COTTON. Just one further matter that I want to raise with you of special interest to me. When we passed the Traffic and Motor Vehicle Safety Act I was particularly interested, and I think the chairman will bear me out, that in our conference with the House, we had a good deal of consideration if not controversy over the makeup of the Council. You have read the act, have you not?

Dr. HADDON. Yes, I have.

Senator COTTON. You know the Council to which I refer. I was particularly concerned in making sure that the automobile dealers should be represented on that Council, and I held out for their representation. With the help of my chairman and others, we wrote that into the statute. My reasons were that in many cases the interests of the automobile dealers are not identical with the interests of the industry.

Dr. HADDON. That is correct.

Senator COTTON. In many cases automobile dealers are not entirely free to hold out against the industry. I think that Ford and General Motors and Chrysler and American Motors are capable in all ways of taking care of themselves. But a dealer has to have his franchise and the industry has a club over him. So I was particularly anxious that on that Council should be a representative of the dealers.

That representative should be someone who truly represents the dealers and not someone who might, in a sense, be under the thumb of the industry.

I am hopeful that whoever is appointed—and I understand the appointment might not be in your hands, but you happen to be the witness before us and you certainly have influence—the person appointed to represent the dealers on such a Council should be satisfactory to the dealers; that they should feel that he is truly representing their interests and not those of someone else.

I am not suggesting that they furnish a list to the Secretary or to the new Department when it comes along, insisting that the person

be named from that list. But I do feel that the dealers should have a full hearing, a fair consideration and an opportunity to recommend, and if the person they recommend is not satisfactory, to recommend another or to satisfy themselves before that person is appointed.

How do you feel about that?

Dr. HADDON. I completely agree.

Senator COTTON. And you would, so far as it fell within your power, or so far as you are advising or dealing with the Secretary, you insist that that be the case?

Dr. HADDON. That is correct.

Senator COTTON. Thank you. That is all.

The CHAIRMAN. As you know, the law has a procedure on defects. Do you think that that should be a part of our auto safety program, informing the owner as to defects or safety matters pertaining to the car that he buys?

Dr. HADDON. I believe that it should be.

The CHAIRMAN. I notice in the morning paper that the Chrysler Co. has dropped safety disc brakes. Did you read that?

Dr. HADDON. I have not seen this morning's paper.

The CHAIRMAN. It said that—

Chrysler Corp. has eliminated disc brakes as standard equipment on its big Dodge and Chrysler station wagons in order to cut prices an average of \$97 and make the models more competitive with wagons from other companies. The move was quietly revealed to dealers in a special price bulletin but no public announcement was made even though Chrysler had previously touted the fact that safety brakes would be standard on the heavy station wagons.

Do you think that should be a matter that the owner should be advised of?

Dr. HADDON. I agree that it should be a matter of which the owner should be advised.

The CHAIRMAN. So that he would know that he is buying a car without disc brakes.

Dr. HADDON. I think the first question is not the exact design used, but the performance of the braking system of the car. I would want to know more about the difference that this would make in braking.

The CHAIRMAN. Do you consider your job will be to take a look at some of these things?

Dr. HADDON. I certainly do.

The CHAIRMAN. This is just a few weeks after the bill had been passed. I am just quoting the paper. This is a story from Detroit, by Robert W. Irvin. It seems to me that you are going to have to be quite alert to many things to carry out the purposes of the bill. You don't need to study that, do you?

Dr. HADDON. No, sir.

The CHAIRMAN. Senator Bartlett?

Senator BARTLETT. Dr. Haddon, in your inquiries, do you feel that drugs contribute significantly to automobile accidents?

Dr. HADDON. I am sorry?

Senator BARTLETT. Does the use of drugs contribute significantly to automobile accidents?

Dr. HADDON. If as many physicians do, you include alcohol, they certainly do. We do not know the extent to which other drugs are of importance in this field.

Senator BARTLETT. Let's exclude alcohol. Then what?

Dr. HADDON. We just don't have any decent information at this point, but want to get it as quickly as we can.

Senator BARTLETT. Is the use of safety belts in your opinion really meaningful?

Dr. HADDON. Yes, it is.

Senator BARTLETT. I recall landing last year on a field on St. Laurence Island. A colonel met me and drove me to the Air Force station, half a mile away. But he wouldn't start the car until I had fastened my safety belt. I think that was the only car on St. Laurence Island. Would you consider the use of the safety belt in those circumstances vital?

Dr. HADDON. I think that under any circumstances in which a car is apt to get into a crash it is vital that there be a safety belt on each of the people in the car.

Senator BARTLETT. You and the Air Force will be in agreement then.

Thank you.

Dr. HADDON. Yes, we will.

The CHAIRMAN. I have no further questions for now. I will send you the others.

Thank you very much, Dr. Haddon.

(The following material was subsequently submitted:)

Dr. WILLIAM J. HADDON,
Traffic Safety Administrator,
Department of Commerce,
Washington, D.C.

DEAR DR. HADDON: At your nomination hearing on October 13, 1966, I indicated that I would be sending some additional questions to you. These questions and your answers will be made a part of the hearing record. The questions are as follow:

(1) Section 112(d) of the Motor Vehicle Safety Act provides authority to require the manufacturer to give such notification of such performance and technical data at the time of original purchase as is necessary to carry out the purposes of the Act. Generally, what information do you think the purchaser should be given on such matters as roadworthiness and crashworthiness?

(2) In writings on traffic safety, people have often cited the three stages in the casualty cycle—the pre-accident stage, the post-accident—pre-injury stage, and the post injury or emergency treatment stage. What criteria have you developed to weight the relative importance of each so that maximum manpower and resources can be utilized where they will have the greatest safety payoff?

(3) What are your views on the public's right to know about internal policies and information, and the results of research findings?

(4) Motorcycle and motorbike deaths and injuries have increased very sharply in recent months. Do you propose to give motorcycle design safety and driver licensing and driver equipment (such as helmets) a high priority?

(5) Do you intend to encourage the auto industry to increase its research and development activities in safety? If so, how?

(6) How will you assure that new cars meet federal safety standards?

(7) Will you make public the information you obtain from your testing as to the relative safety of specific automobile makes and models?

(8) What problems are you facing in recruiting trained specialists? What kinds of experts will be most difficult to hire?

(9) How will you work with the Department of Health, Education and Welfare and General Services Administration to avoid duplication?

(10) When you issue vehicle safety standards, will you also issue the technical justification for these standards and the range of protection afforded?

(11) What approach to the alcohol-driver problem do you expect to use?

(12) Section 113(d) of the Motor Vehicle Safety Act requires the manufacturer of motor vehicles to furnish the Secretary with copies of communications to the dealers or purchasers of defects. Have there been any such filings to date by the manufacturers? Will these communications be publicly available?

(13) How many employees are under your authority presently? Do you have a schedule of personnel increases for the next year?

(14) Do you envision the possibility of requiring used cars to be fitted with add-on safety features—such as electronic devices or crash protection features—that may be perfected?

(15) Do you intend to encourage and maintain a mutual dialogue with all elements of the automobile industry in order to stimulate effective progress in safety? If so, how?

Kindest regards.

Sincerely yours,

WARREN G. MAGNUSON, *Chairman.*

U.S. DEPARTMENT OF COMMERCE,
NATIONAL TRAFFIC SAFETY AGENCY,
Washington, D.C., January 10, 1967.

HON. WARREN G. MAGNUSON,
*Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: I have delayed answering your October 28 letter both because of the breadth of your questions and because I knew you would prefer that I give first priority to the urgent job of getting the new Federal programs under way.

My answers to your fifteen questions are enclosed. Would you kindly let me know if there is additional information you would like me to supply.

Sincerely,

WILLIAM HADDON, JR., M.D.,
Administrator.

Question 1. Section 112(d) of the Motor Vehicle Safety Act provides authority to require the manufacturer to give such notification of such performance and technical data at the time of original purchase as is necessary to carry out the purposes of the Act. Generally, what information do you think the purchaser should be given on such matters as roadworthiness and crashworthiness?

Answer. The manufacturer and the dealer must cooperate in ensuring that each purchaser, or potential purchaser, is given sufficient information in plain language to understand the general nature of the vehicle's safety features and their purpose. This information should include emphasis both on the handling, lighting, signaling, and other features that help the driver avoid accidents, and on seat belts, energy absorbing steering assemblies, crash padding, safety door locks and other aspects of the vehicle's design that protect the driver and his passengers from injury in such crashes as do occur. It will be important for the public not only to know that their vehicles meet Federal motor vehicle safety standards, which will be accomplished under the manufacturer certification provisions of Section 114 of P.L. 89-563, but also for them to be given the means to understand the purpose of those standards.

In addition, it is important that vehicle safety information be used by manufacturers, dealers, and salesmen to ensure that the vehicles with safety features superior to those required by the Federal standards will have a competitive advantage in the marketplace.

Since any vehicle to be operated safely must be kept in proper condition, it is essential also that tire pressure and other maintenance information be supplied. Because purchasers often lose or fail to consult owners' manuals, such data should be provided permanently and prominently on the vehicle itself.

Finally, it is especially important also that purchasers be thoroughly informed of any unusual handling characteristics such as those which tend to make the rear ends of some cars whip around in cornering on slippery surfaces.

Question 2. In writings on traffic safety, people have often cited the three stages in the casualty cycle—the pre-accident stage, the post-accident—pre-injury stage, and the post injury or emergency treatment stage. What criteria have you developed to weigh the relative importance of each so that maximum manpower and resources can be utilized where they will have the greatest safety payoff?

Answer. The ultimate criterion in choosing between different allocations of highway safety resources is the payoff each provides for a given expenditure of manpower and capital. Unfortunately, until about a decade ago there had been so few attempts to find out which highway measures worked, and to what extent, that there was little basis for choosing between the often competing claims on the available resources. Although this situation continues substantially to this day,

an increasing amount of information makes very clear at least a few of the programs that should be given special priority to give the greatest payoffs in reduced deaths, injuries, disabilities, and property damage. One of these, concerned with what you refer to appropriately as the pre-accident phase, is the periodic inspection of motor vehicles, the considerable efficacy of which was for the first time well documented less than a year ago.¹

Other well documented measures, also relatively inexpensive in terms of the payoffs they provide, involve the crash phase itself—crash helmets for motorcycles, and safety belts for automobile drivers and their passengers being excellent examples.

At present there is no satisfactory quantitative evidence as to the payoffs to be achieved for resources allocated to emergency services. In this area, however, as in many others in highway safety we cannot wait for the millennium of perfect information, but must move ahead on the basis of our best judgment, while at the same time mounting the scientific research that will give us a better basis for our future programs and allocations.

Question 3. What are your views on the public's right to know about internal policies and information, and the results of research findings?

Answer. The public, in my opinion, has a need and a right to know such information, to the extent contemplated by the recent amendments to the Administrative Procedure Act. My position was well illustrated when I supplied you, on November 21, 1966, with the information you had requested in the public interest concerning manufacturers' recall campaigns and by the fact that I have kept the file of such safety information open for public inspection.

Question 4. Motorcycle and motorbike deaths and injuries have increased very sharply in recent months. Do you propose to give motorcycle design safety and driver licensing and driver equipment (such as helmets) a high priority?

Answer. I am already giving high priority to motorcycle safety. In the proposed initial Federal motor vehicle safety standards which were published in the Federal Register on December 3, 1966, are two standards which apply to motorcycles. One of these, Standard 108, includes requirements for motorcycle lighting; the second, Standard 205, would require that glass windshields when used on motorcycles meet the same standard as windshields on automobiles.

In addition, at a meeting on December 5 of representatives of some thirty Governors, I stated our intention to propose that the uniform standards for State highway safety programs to be issued under Public Law 89-564 would require both that all persons riding two-wheeled motor vehicles wear crash helmets meeting established performance standards, and that the States issue separate licenses for operators of two-wheeled motor vehicles.

Question 5. Do you intend to encourage the auto industry to increase its research and development activities in safety? If so, how?

Answer. During recent months the manufacturers have already very greatly increased their research and development activities in safety. This should increasingly affect the safety of the public especially in providing the far better crash protection to drivers and their passengers that the research results of recent years have shown to be possible. I am aware of no indication that this effort on the part of individual companies will be cut back.

We on our part will keep the companies as informed as possible of those aspects of vehicle design and construction we believe need increased attention. We will also make full and early disclosure of our own research results and those of others, emphasizing to the companies scientific findings that have implications for the types of vehicles each manufactures. In addition, we will seek cooperation in the development of more satisfactory means both of testing the safety performance of vehicles and vehicle equipment, and of correlating laboratory and proving ground results with performance under the conditions of actual use. Such cooperation will be essential to ensure that the designs required to meet the performance standards of the future will be both practical and effective.

Question 6. How will you assure that new cars meet Federal safety standards?

Answer. As soon as we have sufficient staff and resources, we will systematically sample the marketplace, inspecting and testing vehicles and equipment being sold to determine whether they meet the standards. We also expect to explore ways to make it possible for manufacturers to submit prototypes to determine whether they meet the letter and intent of the standards. Comments from the public will be carefully scrutinized and should serve as a valuable independent source of performance information.

¹ Robert C. Boxbaum, M.D., and Theodore Cotton, Sc. D., "Relationship of Motor Vehicle Inspection to Accident Mortality", *The Journal of The American Medical Association*, vol. 197 (July 4, 1966), 31-36.

Question 7. Will you make public the information you obtain from your testing as to the relative safety of specific automobile makes and models?

Answer. I intent to make such information public, emphasizing findings of importance.

Question 8. What problems are you facing in recruiting trained specialists? What kinds of experts will be most difficult to hire?

Answer. As you stated on the Senate floor on August 31, 1966, I am responsible for recruiting "* * * sufficient competent, trained and experienced technical personnel and administrators * * *" to enable the law to be "* * * vigorously and imaginatively implemented." In accomplishing this objective, we face many difficult problems well anticipated by you and your Senate colleagues. In illustration, Senator Hartke pointed out on August 31, "There is an acute shortage of trained engineers, scientists, information systems specialists, lawyers, psychologists, economists, physicians, and human factors specialists as well as other professionals in the field of traffic safety." As he further mentioned, the specialists that do exist earn salaries far above those usually paid by Government. Senator Ribicoff also put stress on the need to "* * * give high priority to the recruitment of the ablest technical and administrative specialists that this country can produce" while admitting that this is not an easy quest.

In furthering this objective, the Civil Service Commission has approved an essential group of fifty-two positions at grades GS-16, 17, and 18, and we have already recruited several exceptionally qualified individuals to begin filling these. Nonetheless, we do face many and very tough problems in finding qualified individuals willing to serve. By mid-spring I will have a much better idea of where our most serious problems in this respect will be.

Question 9. How will you work with the Department of Health, Education, and Welfare and General Services Administration to avoid duplication?

Answer. We have already had a series of meetings with members of the Department of Health, Education, and Welfare concentrating on working out relationships with the Public Health Service. These meetings have dealt with a wide variety of highway safety problems related to health, and with the ways in which we can best cooperate in the public interest. Because of the many substantive areas involved, we are in agreement that the most satisfactory way of avoiding duplication will be for us to work directly with those portions of the Department—for example, with the Office of Education and with the new alcoholism program of the National Institute of Mental Health—most directly involved with problems related to those with which we will be concerned. The establishment of these relationships will, of course, depend for their timing on the rate with which our own activities are staffed and developed.

We have also had some contacts with the General Services Administration, but have not yet worked out methods for avoiding duplication that might be inherent in the continuance of separate Federal standards for motor vehicles purchased by the Federal Government.

Question 10. When you issue vehicle safety standards, will you also issue the technical justification for these standards and the range of protection afforded?

Answer. We intend to issue with the motor vehicle safety standards a concise, general statement of their basis and purpose, as required by Section 4(b) of the Administrative Procedure Act (now 5 U.S.C. 553(c)). As you pointed out in your speech on the floor of the Senate on August 31, 1966, the explanations for these standards, as required in the bill passed by the Senate, are consistent with the general meaning of Section 4(b) of the Administrative Procedure Act, and the specific requirements previously considered were deleted by the Conference Committee for simplicity. Concise, general statements were issued with the proposed standards published in the Federal Register December 3, 1966, and we were pleased to see their widespread use in the press in explaining the reasons for the standards themselves. When we have developed the necessary staff and related resources we will prepare much more detailed summaries of the existing technical and scientific evidence underlying the standards issued under both Public Law 89-563 and 89-564.

Question 11. What approach to the alcohol-driver problem do you expect to use?

Answer. We will concentrate first on ensuring that each State determines the extent to which alcohol is present in drivers and adult pedestrians involved in major categories of fatal accidents occurring under its jurisdiction. This information is essential to ensure that each Governor will be able to know reliably the magnitude of the problem in his area and have baselines against which to measure the success of his control efforts. Unfortunately, although this serious problem has existed for more than a half century, reliable information as to its magnitude is now available for only a small number of areas in the United States.

We will also move to ensure that present enforcement and legal approaches, and those portions of accident record systems dealing with alcohol are strengthened as part of the overall upgrading of State and community highway safety programs. At the same time, we will be moving to determine through scientific research the kinds of drinking drivers and pedestrians predominantly underlying this problem, and the ways in which they can best be approached. In illustration, increasingly strong evidence indicates that alcoholics account for a very disproportionate share of the problem. Yet present judicial and other approaches may well have little to offer with such individuals. It is essential, as a result, that we find out how to deal with these and the other responsible groups such as teenagers experimenting with alcohol so that future programs can be just as effective as possible.

Question 12. Section 113(d) of the Motor Vehicle Safety Act requires the manufacturer of motor vehicles to furnish the Secretary with copies of communications to the dealers or purchasers of defects. Have there been any such filings to date by the manufacturers? Will these communications be publicly available?

Answer. Since shortly after the signing of the legislation by the President on September 9, 1966, we have been receiving such filings. The file, from which I supplied the information you requested in the attached correspondence of November 21, 1966, is publicly available and has been consulted by many interested individuals. As we acquire the staff necessary, we will be working out procedures to evaluate the adequacy of the success of the recall campaigns and whether additional steps should be taken to ensure that unlocated vehicles are reached for possible correction.

U.S. SENATE,
COMMITTEE ON COMMERCE,
November 21, 1966.

Dr. WILLIAM HADDON, Jr.,
Traffic Safety Administrator,
Department of Commerce, Washington, D.C.

DEAR DR. HADDON: As I have indicated earlier, the Senate Commerce Committee fully intends to discharge its responsibilities in overseeing the implementation of the automobile safety legislation. I am, of course, aware that you have only recently received your appropriation and are just now in the process of building your staff and developing policies necessary to administer your programs.

At this time, however, the Committee is particularly interested in reviewing the log of defect notifications supplied to you under the Act by the automobile manufacturers. In addition, although I recognize that you will not as yet have had the opportunity to fully evaluate these notifications, we would like to have the benefit of your initial judgment as to the adequacy of the industry's procedures and efforts to cure such defects. We would also like to know what you propose to do to reach the owners of vehicles not reached by the manufacturers' own efforts.

Sincerely yours,

WARREN G. MAGNUSON, *Chairman.*

U.S. DEPARTMENT OF COMMERCE,
NATIONAL HIGHWAY SAFETY AGENCY,
Washington, D.C., November 21, 1966.

Hon. WARREN G. MAGNUSON,
Chairman, Committee on Commerce,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Thank you for your letter concerning defects notifications received in accordance with the provisions of the National Traffic Safety Act of 1966. In response to your request, I have already provided your staff with a copy of our log of the manufacturers' submissions. I have also made available the submissions themselves.

In answer to your question, the companies are clearly making a very concerted and substantially successful effort to identify and correct such defects promptly. This effort, in both intensiveness and speed, considerably exceeds that of prior years, and many of the suspect vehicles are being reached and corrected before sale.

Although we received our first operating funds only last week, members of my small borrowed staff and I have already met with representatives of several companies to work out the most efficient means for handling the great amount of information this notification program already involves. On their part, the companies will be supplying us on a current basis with computer tapes and other

listings, identifying the vehicles and owners they have been unable to reach. (It is very important that car owners learn to respond very promptly to such notices, since their lives and those of others can well be at stake in some cases.) As soon as we can hire the staff required, we, in turn, will do as much as possible to see that the unreached cars are corrected, either by direct or public contact with their owners, or through the State and local officials in their areas.

I much appreciate the active role you and your Committee are continuing to plan to ensure the safety of the public.

Sincerely,

WILLIAM HADDON, Jr., M.D., *Administrator.*

Question 13. How many employees are under your authority presently? Do you have a schedule of personnel increases for the next year?

Answer. Sixty-four employees, many of them in secretarial and related positions, are currently (January 1, 1967) under my supervision in the performance of the functions required by the National Traffic and Motor Vehicle Safety Act of 1966 and the Highway Safety Act of 1966. Thirty-eight of these are on our own rolls. The remainder are detailed from the Bureau of Public Roads and other agencies of the Federal Government.

Funds for personal services became available through apportionment of the appropriation by the Bureau of the Budget on November 16, 1966. Most of the detailed employees will also be transferred to our own rolls in the very near future and the staff will be increased during the balance of this fiscal year to the budgeted total of 440 employees.

As our programs become more fully operational, there will be a need for substantial further augmentation of staff in fiscal year 1968. The specific staffing target for that fiscal year will not be determined, however, until decision is made regarding our total program requirements for the period. It is anticipated that most of the increases will be required in the operational programs, such as the Motor Vehicle Safety Performance Service, the Highway Safety Programs Service, data collection and analysis, and external audit.

Question 14. Do you envision the possibility of requiring used cars to be fitted with add-on safety features—such as electronic devices or crash protection features—that may be perfected?

Answer. I do envision this possibility. However, we will need to weigh very carefully in each case the practicality, cost, and payoffs in increased highway safety offered by each possible add-on feature. These possibilities will be carefully considered in the study of used cars the law directs us to make, with the results submitted to the Congress by September 9, 1967.

Question 15. Do you intend to encourage and maintain a mutual dialogue with all elements of the automobile industry in order to stimulate effective progress in safety? If so, how?

Answer. I do intend to encourage and maintain a mutual dialogue with all elements of the automobile industry in order to stimulate effective progress in safety. Although I do not have a systematic plan for furthering such exchange, we will use all the opportunities available to us to further the full range of relationships necessary to carry out the purposes of the two Acts. I am pleased that we are rapidly increasing the breadth and depth of our contacts, and this shows every sign of continuing.

Dr. HADDON. Thank you, sir.

The CHAIRMAN. The committee will recess and go into executive session.

(Whereupon, at 10:38 a.m., the committee was adjourned.)



