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Executive Vice President



Jim Beggs

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2. Jim Dempsey  
Ex Convair, then Avco  
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retires this summer

**SEARLE**

**John D. Kramer, Secretary**  
**Illinois Department of Transportation**



## John D. Kramer



John D. Kramer was appointed Illinois Secretary of Transportation by Governor James R. Thompson on July 6, 1977. Kramer succeeded Langhorne M. Bond, who was named to head the Federal Aviation Administration in Washington, D. C. Prior to becoming Secretary, Kramer had served for four years as Director of the Office of Policy and Planning in the Illinois Department of Transportation.

As Secretary of Transportation, Kramer oversees one of the largest departments in Illinois state government, with 8,000 employees and an annual budget of \$2.3 billion. The department is responsible for the state's policies and programs dealing with highways, public transportation, traffic safety, aeronautics, freight and passenger rail services and water resources.

In addition, the department is closely involved in the development of federal programs favorable to state goals. For example, under Kramer's direction, Illinois successfully sought legislation which will provide over \$500 million per year in federal-aid for Illinois highways.

Kramer first joined the department in 1973 as Director of the Office of Policy and Planning, and continued in that role until his appointment as secretary in 1977. As director, Kramer was responsible for developing the department's programs and budget for preserving, improving and expanding the state's transportation system and services. During his tenure as director, Kramer assembled road-building programs which were among the largest in the nation. He also developed a public transit program for the Chicago Metropolitan area and initiated a state program of assistance to preserve essential rail freight services.

Prior to joining the department, Kramer was director of the Highway Action Coalition in Washington, D. C., from 1971 to 1973. The Coalition consisted of national consumer, environmental and trade union organizations interested in federal transportation spending policies. As director, Kramer gained broad experience in dealing with Congress and various federal agencies.

During 1972 and 1973, while with the Coalition, Kramer drafted and successfully lobbied for the passage of several amendments to the federal highway act which allowed for more local and state flexibility in the use of federal highway funds previously earmarked for urban freeways only.

A Phi Beta Kappa, Summa Cum Laude political science graduate of Stanford University, Kramer also attended the Freie Universitat von West Berlin. He attended Oxford University as a candidate for a doctoral degree in International Relations before taking a leave of absence to head the Highway Action Coalition.

Kramer is also chairman of the Council of State Departments of Transportation (COSDOT), an organization of state transportation secretaries formed to share state expertise and innovations and to explore solutions to problems of mutual concern.

Kramer was born in Los Angeles on September 25, 1948. He and his wife Susan live in Springfield with their two children, Jonathan and Abigail.

G.D. Searle & Co.  
Box 1045  
Skokie, Illinois 60076  
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John E. Robson  
Executive Vice President

December 30, 1980

Hon. Drew L. Lewis  
Jefferson Hotel  
Room 410  
16th and "M" Streets N.W.  
Washington, D.C. 20036

Dear Drew:

Enclosed is a draft of a statement for your possible use in your confirmation hearing. Please feel entirely free to do what you will, including nothing.

Good luck.

Let me know if there is any way that I can help.

Sincerely,

/djm

encl.



**SEARLE**

STATEMENT OF  
ANDREW L. LEWIS  
NOMINEE FOR U. S. SECRETARY OF TRANSPORTATION  
U.S. SENATE  
COMMITTEE ON \_\_\_\_\_  
JANUARY \_\_, 1981

---

Mr. Chairman, Members of the Committee, I am honored and pleased to appear before you today for your consideration of my nomination to be Secretary of Transportation.

I have previously provided the Committee with the details of my financial holdings, the proposed arrangements for handling them during my government service, and similar information relevant to my nomination. To my knowledge I have responded satisfactorily to any questions which the Committee had regarding these matters.

If my nomination is favorably considered by this Committee and the Senate, I shall assume the responsibility for leading an agency with some 113,000 civilian and military personnel and almost \$20 billion in projected annual program outlays. I am keenly aware that



the U. S. Department of Transportation today confronts a variety of critical issues which directly impact the flow of the Nation's commerce, the mobility of our citizens and, in some instances, the safety of thousands of Americans.

Among the vital issues to be addressed by Congress, the incoming Reagan Administration and the new Secretary of Transportation will be:

---Determining the proper levels of funding, sources and allocation of Federal monies, and the program scope and design for highway, aviation, rail, mass transportation and other Federally supported transport programs;

---Assessing the appropriate respective roles and Financial responsibilities in transportation activities of the private sector and the various levels of government -- Federal, State and Local;

---Assuring the continuation and improvement of the efficacy and productivity for the major Federally-managed operational programs such as air traffic control and water safety;

---Providing an appropriate balance in the implementation of the DOT's various safety and energy regulatory programs between the need to protect the individual uses of America's air, highway, rail and water systems and considerations of productivity, competitive position of U. S. Industry in world markets and cost-benefit evaluations.



---Policy matters concerning the implementation of transport deregulation legislation already enacted by Congress and the extension of these concepts where appropriate.

Mr. Chairman, these are complex issues whose resolution significantly affects the lives of millions of Americans, the Country's economic vitality and the condition of the Federal budget. On many of these issues the Members of the Committee may have firm views based on their considerable experience and familiarity with them.

Perhaps it is tempting for one in my circumstances to try to demonstrate a knowledge and mastery of the important issues and an opinion on what ought to be done about them. However, hopefully with your understanding and forbearance, I shall resist that temptation.

Quick answers are not necessarily sound answers. If confirmed by the Senate, I shall have ample time and opportunity to study these issues, to listen to people inside and outside the Federal Government who have a stake in them, to arrive at what I hope will be carefully considered and reasoned positions, and then communicate those positions.

Therefore, while it may run contrary to custom, I am not uncomfortable in saying to you at this time that "I don't know" or that I do not hold a firm opinion on various issues with which I later may have to deal as Secretary of Transportation.



Indeed, my priorities at this point are pretty straightforward. First, is to attempt to bring into key positions at the Department men and women of ability and integrity. Second, is to devote my early weeks to studying the vital issues and developing positions on them. To this end, it is my intention to refrain for sixty days or so from any speaking engagements or press conferences so that my full attention can be focussed on getting the Department organized and become better grounded on the issues we must address.

Finally, let me express the hope that communications between the Department and Congress will be open and candid. I am determined that you will know in plain English where we stand on an issue and why we stand there.

Thank you, Mr. Chairman and Members of the Committee. I shall now be happy to respond to questions.





## APPOINTMENT TO AMTRAK'S BOARD OF DIRECTORS

President Reagan will have the opportunity to name six members of the Board of Directors of Amtrak (The National Railroad Passenger Corporation), three immediately, and three to fill terms that expire on July 18, 1981. Senate confirmation is required.

The six appointees, together with the Secretary of Transportation who is a member ex officio, will constitute a majority of the thirteen member board and make possible the election of a new board chairman and the accomplishment of other actions as needed.

Background: The Amtrak Board of Directors is fixed by law at thirteen members, comprised as follows: the Secretary of Transportation and the President of the Corporation, each ex officio; three members elected by the common stockholders (all the common stock is held by four companies: Burlington Northern Railroad, Milwaukee Road, Grand Trunk Western and Penn Central Corporation); and eight members appointed by the President of the United States with the advice and consent of the Senate.

Of the eight Presidential appointments, two are vacant currently, and the term of a third member expired on July 18, 1980. Thus, three members can be appointed immediately. The terms of three other members expire on July 18, 1981. These three appointments should be made early enough to permit Senate confirmation in time to take office on July 18, 1981. Two other members' terms expire on July 18, 1982.

The law provides that no more than five of the directors appointed by the President be appointed from the same political party. Since the two directors whose terms expire in 1982 are Democrats, five new members can be appointed from the Republican party and one new member from other than the Republican party.

Amtrak is a private business corporation created by law enacted by the Congress, and organized under the Business Corporation Law of the District of Columbia.

*PFD*  
*Handwritten notes*

UNITED TO

Claude S. Brinegar  
Senior Vice President

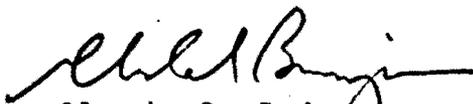
November 28, 1980

Mr. Darrell Trent  
Director, Office of Policy  
Coordination  
Office of the President-elect  
1726 "M" Street, N.W.  
Washington, D.C., 20270

Dear Darrell:

Attached is the report of the Transportation  
Issues Task Force. I look forward to dis-  
cussing it in detail with you and your associates.

Sincerely,

  
Claude S. Brinegar  
Senior Vice President

CSB:kb  
Attachments

CC: John Snow

~~CONFIDENTIAL~~

November 1980

REPORT OF THE TRANSPORTATION ISSUES TASK FORCE

This report presents the recommendations of the Transportation Issues Task Force to the incoming administration of President-elect Reagan. Attachment A lists the members of the Task Force. The report is divided into four sections:

- I General comments and policy principles.
- II Issues of major importance before the Department of Transportation.
- III Possible budget reductions.
- IV Some comments on appointments.

We have not considered issues that may arise in, or be related to, the Maritime Administration, because it is part of the Department of Commerce.





## I. GENERAL COMMENTS AND POLICY PRINCIPLES

America's transportation system is, with a few notable exceptions, reasonably "fast, safe and efficient," a goal specified in the 1966 Department of Transportation Act. Our highway and aviation system is the world's best, and our rail system, after decades of neglect, is on its way to providing improved service and to earning better returns. There remain major deficiencies in our large urban transportation systems, but these are more a reflection of urban problems than of deficiencies in transportation policy. While there will always be an agenda of transportation issues before the Department, by and large, the system serves our nation, its economy, and the national security quite well.

The major issues currently before the Department of Transportation can be grouped into three categories of questions:

1. How much federal regulation should there be in the rail, motor carrier, and airline industries?
2. What transportation issues warrant federal financial programs? What principles should guide these programs?
3. What principles should guide the Department's programs on transportation safety, environmental protection, and efficient energy use?

During the past decade, questions of regulatory policy occupied much of the Department's time and energy. These questions have now been largely answered by the enactment of bills that have taken major steps toward deregulating the rail, motor carrier, and airline industries. The Task Force believes that these new statutes are positive steps forward, and that they should be implemented without interference.

The questions in categories 2 and 3 provide the major near term issues facing the new administration--especially questions about the funding levels, the allocation principles, and the sources of funds for the federal highway, aviation, and mass transit programs. Also, there are major questions about the level of future federal aid for Conrail, Amtrak, and certain rail programs.

In reaching its recommendations, the Task Force agreed to be guided by the following four major policy principles:

1. The nation's transportation system should, as much as possible, be provided through the competitive forces of the private sector, or, if the private sector is inappropriate, by state or local governments. Direct federal financing of transportation investments or operations should be limited to those few cases where there is a clear and widely accepted requirement for concerted action in an area of high national priority, and where the private sector or state and local governments are obviously incapable of adequately meeting this requirement.

2. When federal expenditures are used to finance transportation investments or operations, these expenditures should be recovered from the beneficiaries in a manner that is appropriate to the costs incurred on their behalf, unless widely accepted national policy directs otherwise.

3. Economic regulation of interstate transportation should be held to a minimum. A particular effort is needed to eliminate restrictions on intermodal ownership.

4. All federal transportation programs, including those designed to enhance safety, environmental protection and efficient energy use, should be subjected to benefit/cost tests to assure that they benefit the nation as a whole. These programs should also be examined to assure that they are positive contributors to the nation's productivity.

We strongly urge the Secretary to follow these principles in dealing both with existing issues and in formulating long-term transportation policy.



## II. ISSUES OF MAJOR IMPORTANCE BEFORE THE DEPARTMENT OF TRANSPORTATION

The issues discussed next are organized alphabetically by transportation mode. We have not attempted to deal exhaustively with each issue; rather, we have identified the issues, highlighted any special problems that we are aware of, and made recommendations that are consistent with the policy principles.

Aviation

1. An immediate issue will be congressional consideration of a new Airport Development Assistance Program (ADAP), to replace the one that has lapsed. The past programs, financed principally through a passenger ticket tax, have generated trust funds that were supposed to be used mainly to increase capacity and to reduce congestion at the nation's airports. Because of legislative and other restraints, it has been difficult to find effective investments for these funds. Balances in the trust fund have grown steadily. The Task Force recommends that this program's effectiveness be examined critically. Any future program should be recast and probably reduced in scope. Possible revisions include:

- a. Shift funds away from hub airports, which can raise adequate funds locally, and into more funding of FAA operations and of the en-route navigation systems. The Senate bill proposed that the 72 largest airports be dropped from ADAP. This "defederalization" is a good start.
- b. Recognize that general aviation, especially its jet and turbojet aircraft, is putting an increasing burden on the airport and airways system without paying its share of the costs. Perhaps additional funds can be raised from general aviation and some funds may be used to upgrade "reliever" airports, thus adding to capacity at the congested hub airports.
- c. Reduce the tax rate on airline tickets from 8%, to the level which, together with general aviation's share, is needed to support a more modest program.



2. Questions are being raised about the reliability and future capabilities of, as well as the future needs for, the FAA's national enroute navigation system. The Secretary should promptly appoint an independent, highly-qualified "Blue Ribbon Commission" to thoroughly examine this issue.

3. There is a serious threat of a nationwide strike or slowdown by the air controllers ("PATCO") in March 1981. This requires immediate attention by the Secretary and the FAA Administrator, including possible standby emergency legislation. This strike threat also touches on the larger issues of public employee unions and their activities.

4. Airline deregulation has raised some collateral issues with which the administration must deal. The three major ones are:

- 
- a. CAB "Sunset." The scheduled 1985 CAB "sunset" should be moved up to, say, January 1982 to avoid a drift back toward regulation. Most residual functions are already scheduled to be transferred to other government entities. Decisions must be made regarding the remaining functions, which may also be discontinued rather than transferred. Congress and the airlines probably would favor a step-up in the sunset schedule.
  - b. The deregulation act included a "labor protection" section to cover employees who lost their jobs as a result of the statute. Under President Carter, the Labor Department has been considering the use of a "national hiring hall," an approach that the Task Force believes is inappropriate. The new administration should see that this approach is quickly headed off.
  - c. Peak-hour congestion at a half dozen of the nation's major airports has created a serious problem of how to allocate take-off and landing "slots," especially to new carriers. This problem is the most serious at Washington's National Airport, which is owned and operated by the federal government. A good solution there could set the pattern elsewhere. The past allocation method (by an industry scheduling committee, with antitrust immunity) is inconsistent with anti-trust policy applicable to unregulated

industries. The Task Force agrees that the proper allocating method is one that uses market principles, perhaps along these lines: Announce an 18-month program to phase-in an auction system. Initially, the airlines and other users would be assigned slots equal to, say, 75% of prior usage, with the remaining 25% sold at auction. Six months later the auction would cover 50%, then 75%, and then 100% at the end of the phase-in period. Special set-aside categories for such groups as general aviation and commuter airlines could be provided within the auction system. And auctioned as well as allocated slots could also be bought and sold by their owners.



5. A better process is needed for negotiating international air agreements. A major problem has been that non-aviation issues, often of a diplomatic nature, unrelated to the general concept of open-market competition have become entangled in the negotiations. As a result, U.S. airlines' and travelers' interests have not been adequately represented. The Secretary of Transportation should have more authority, the Secretary of State less, and the CAB's role should be phased out. As early as possible, the Secretary of Transportation should prepare a new statement of international air principles to be issued by the President. This statement is needed promptly, because negotiations are scheduled with Japan in early 1981.

#### Coast Guard

The Coast Guard has proposed to purchase several 270-foot cutters at a cost of over \$500 million from a firm that was not the low-cost bidder. The solicitation may have been unclear and the low bidder may have been excluded on technical grounds. There is a possibility of lawsuit and of congressional investigation. The Secretary should undertake a prompt review to determine if new bids are needed to clear up this controversial procurement.

#### Highways

1. The Highway Trust Fund, the financing method instituted by President Eisenhower to ensure completion of the Interstate Highway System, will be re-examined by Congress in 1981. Although the Fund does not expire until 1984,

its current rate of expenditures exceeds its collections. The Task Force endorses the continued use of a Trust Fund as the proper method to support the federal aid highway system; it recommends that the tax structure, currently four cents a gallon, be modified appropriately so that the Fund remains solvent and each class of beneficiaries pays the share of costs incurred on its behalf. It may be necessary to shift to some form of tax "indexing."

2. A method should be developed to bring the Interstate Highway Program to completion in the next few years. The system now is nearly 95% complete. Most of the remaining 5% should not be completed. Some of the yet-to-be built portions would be extremely expensive; and some of the short sections in urban areas are too expensive and too disruptive to be worth building.

3. Maintenance of the Interstate System is lagging, and portions of the system, some now 20 years old, should be upgraded to modern standards. The Task Force agrees that there is a federal responsibility to see that the Interstate System is properly maintained. This will require a new program and new direct funding (replacing some current "back door" financing of maintenance).

4. The current federal aid program, apart from the interstate and primary systems, has too many categories and should be simplified. The need for federal support of the various categories (there are over 20) should be studied. Some should probably be dropped, with a trade-off made to the states in return for assuming federal responsibility for interstate maintenance.

5. To facilitate the use of the interstate system in an economically efficient way, uniform truck size and weight limits should apply throughout the system. States wishing to allow larger trucks should be permitted to do so provided they pay for the added capital and maintenance costs.

#### Mass Transit

The grant program of the Urban Mass Transit Administration (UMTA) will probably not be reauthorized by Congress during the current lame duck session. Consequently, this will be a high-priority legislative issue in early 1981. This gives the new administration an excellent opportunity to make needed major



revisions in the program. The Task Force offers the following guidance for next year's legislation:

1. The overall level of the program can be reduced significantly.
2. Past federal support of new fixed rail systems has been largely a wasted effort. New rail starts should be discouraged.
3. Operating subsidies for rail systems discourage local efforts at good management. Where possible, they should be eliminated.
4. UMTA's capital support to upgrade established rail systems is generally worthwhile, and should be continued at a modest level.
5. UMTA's program for the purchase of transit buses is a good one and should be encouraged. The program should be expanded to include some bus maintenance in order to avoid the growing practice of deferring maintenance and simply applying for new capital funds.
6. Demonstration grants have largely been politically motivated and they have been failures. The program should be greatly reduced in scope.
7. More of the formula funds, as apart from direct grants, should be allocated on the basis of transit ridership. This change was in the 1980 proposed legislation.
8. Section 13(c) of the basic UMTA legislation imposes extremely restrictive labor provisions on all recipients of UMTA funds. This causes two serious problems: (a) it adds significantly to the operating costs of the existing system; and (b) it hinders the introduction of more efficient, flexible technologies--such as jitneys--that are not bound to present labor unions. An immediate effort should be made to change this section so that efficient operations and technological innovations that improve system operations are encouraged.
9. A most difficult problem is the issue of how to provide access to public transportation for the handicapped. The Rehabilitation Act of 1973 made it unlawful to exclude handicapped persons from public services financed

by the federal government. To conform with this law, DOT issued regulations in 1979 requiring that all subway stations, even existing ones, be equipped with elevators, that rail cars be rebuilt to accommodate wheelchairs, and that transit buses be supplied with lifts. According to a recent study by the Congressional Budget Office, these regulations have a net public cost of some \$38 per trip by the handicapped. This is generally recognized as excessive, and has led to congressional efforts to provide lower cost alternatives. Most proposals include options for local provision of specialized alternative transportation. Some spokespersons for the handicapped seem to oppose this approach. A compromise permitting local options is needed and should be incorporated in the new legislation.

#### National Highway and Traffic Safety Administration

1. The National Highway and Traffic Safety Administration (NHTSA) has effectively exhausted its ability to increase automobile safety at reasonable social costs, although there may remain opportunities to improve the competence of drivers. While there is no loud clamor from the auto industry to undo NHTSA's past regulatory actions, neither does it appear that NHTSA's likely new actions would have a favorable benefit/cost ratio. All future actions should be examined carefully.

Three of NHTSA's current actions warrant early, careful study:

- a. The rule on "occupant restraints" (airbags and other passive restraints) is effective in 1983. Its efficacy and public purpose should be considered carefully in order to avoid unjustifiable expenses by manufacturers and, in turn, consumers.
- b. Automobile recalls have expanded many-fold in the past four years. The frequency and magnitude of recalls may have passed way beyond a reasonable cost effective limit. The criteria for recalls should be examined promptly.
- c. Possibly more stringent automobile fuel-efficiency standards beyond 1985 are currently under study. With the pre-1985 standards being overtaken by market forces, it does not appear that tighter

post-1985 regulatory standards--with their rigidities and inefficiencies--are now needed.

2. The issue of a federally imposed national speed limit (55 mph) has good arguments on both sides. The motor carrier industry now largely favors it, as do the safety associations. On the other hand, the emergency situation (the 1973 oil shortage) that brought it about no longer exists and the speed limit is impossible to enforce by federal means because the threat of withholding federal highway funds is recognized as "hollow." Most motorists ignore it to a degree. Data relating the existence of the speed limit to reduced fatalities are unclear because of changes in driving patterns and other variables. On balance, the Task Force favors returning authority to set limits to the states.

### Rail

With the passage of the deregulation bill, near-term rail issues confronting the Department of Transportation are limited largely to questions of how much federal money various existing rail programs should receive. The Task Force recommends the following:

1. Conrail. This federally sponsored effort to develop a self-supporting private-sector rail system from the Penn Central and other bankrupt Eastern systems has been beset with difficulties. Thus far, it has required over \$3 billion in federal support, and a recent settlement of the owners' claims will require another \$2 billion. However, the future now looks a little better, and it is possible that Conrail will generate operating profits by 1983. Conrail has received adequate authorizations to take it through 1981, but an appropriation is required. The rail deregulation act, coupled with favorable ICC policies, should enable Conrail to reconfigure its system to maximize its market potential. Its new management should be encouraged to make these changes promptly, including the needed reductions in plant and labor force. DOT should review the need for new legislation to facilitate these reductions. The Department should also take over the U.S. Railway Association's functions that remain after the settlement with the Penn Central estate and inform Conrail that no capital funds and only minimal operating support will be available beyond 1981, and that long-term federal operations are not acceptable. The



best long-term solution, and the one with the best chance of recovering the taxpayers' \$5 billion in investments, may be through an eventual sale of the system's viable parts to established profitable railroads.

2. Amtrak. The losses of this federally financed rail passenger system continue to escalate despite, or because of, increasing patronage. The present loss level is some \$800 million a year, and losses in excess of \$1 billion are likely within two years. By any standard, these losses are exorbitant in relation to the national purpose served by Amtrak. Many of the routes have been forced into the system by political pressures from Congress. Quick action to reduce this taxpayer subsidy sharply is strongly recommended and is possible because Congress must complete action on the next authorizations by May 15, 1981.

Most of the losses take place on sparsely used long-distance routes. It is possible to establish financial criteria, such as a maximum acceptable loss per passenger mile, that would enable the system to be rationalized quickly. Once established, these criteria should be rigidly followed. This will require congressional action, including revision of labor protection provisions now in the Amtrak statutes. If Amtrak has a long-term role, it is in densely populated corridors, such as Washington to New York and Boston, and possibly Los Angeles to San Diego. It may be possible to continue some money-losing routes if states and local areas are willing to cover the losses. Amtrak should not be permitted to use its subsidized status to engage in "price wars" or other unfair rate competition with private-sector carriers, especially the intercity bus lines. Attachment B is a good analysis of the Amtrak problem by Dr. James Miller, III, a member of the Task Force.

3. The Federal Rail Administration (FRA) is administering two programs that should be examined critically. The Northeast Corridor Program (to permit high-speed passenger service), originally funded at \$1.7 billion, is now funded at \$2.5 billion, and this amount is probably inadequate. The program should be examined for its overall benefits relative to its costs, and for its management structure. The second program is FRA's rail assistance program, which has some \$1.5 billion available for assistance to weak (but not dying) railroads. A freeze should be put on these funds, with the entire program put

through a careful benefit/cost analysis. It is possible that it should be dropped.

4. Though not of large significance, the Alaska railroad should be sold. There is no justification for federal operation of this facility, and it appears that the State of Alaska is interested in buying it.

5. Disposition (and repair?) of Washington's Union Station will be a problem requiring more time than it warrants. The Secretary should develop a joint position with the Secretary of Interior and handle the issue quickly.

### Waterways

The barge operators that use the inland waterways system have not been paying their share of the costs of providing them with navigable waterways. A small start was made in 1980 (a diesel fuel tax), and a DOT study is underway. Future charges should probably be a combination of fuel tax and river-lock fees which properly align costs imposed by users with fees paid by them. Investments in new river facilities should be subjected to a revenue test before they are undertaken.

### General Issues

1. Coal slurry pipelines should not be barred by regulatory barriers erected to protect other modes, especially railroads. But neither should these pipelines receive exemptions from reasonable safety and environmental rules. There must also be a reasonable solution to the issues raised by the pipelines' water requirements and the final disposition of the water.

2. Last March DOT issued complex and controversial rules governing the use of minority businesses by recipients of its grants. This Minority Business Enterprise (MBE) program needs a prompt and thorough review by a high-level group. Parts of it may have to be suspended during the review period.

3. The Buy America provisions in existing statutes appear to be adding to the costs of the highway, airport, and transit programs without doing much to help the American economy. This level of "protectionism" may no longer be warranted.

## III. POSSIBLE BUDGET REDUCTIONS

Attachment C itemizes the approved DOT budget for Fiscal '81. The Task Force believes that major reductions are possible and recommends the following areas as good candidates:

1. Amtrak
2. UMTA (rail funds, operating subsidies)
3. Federal aid highways (other than Interstate and Primary)
4. Northeast Corridor Program
5. USRA
6. Rail Loan Guarantee Program
7. Staff reductions in Office of the Secretary and Assistant Secretaries
8. Research and Development Programs. Though not discussed in this report, it may be that these programs are much larger than is appropriate for the federal government.



## IV. APPOINTMENTS

The Task Force urges that particular attention be given to the selection of the following appointments:

1. FAA Administrator.--Because of the issues before the FAA this appointment is probably second in importance to the Secretary. The FAA Administrator must be a technically trained person, capable of managing a large organization (over 50,000 persons). He will face extremely difficult personnel and financial problems from day one on.

2. ICC Chairman.--The Chairman, as well as a majority of the commission, must be dedicated to the principles embodied in the rail and truck deregulation acts. (See Attachment D for a discussion of this issue by Dr. John Snow, a member of the Task Force.)

3. Secretary's Staff.--The Deputy Secretary, the General Counsel and Assistant Secretary for Policy should be persons of the highest possible competence and reputation. These three offices provide the major transportation policy support for the Secretary and the White House.

4. NHSTA Administrator.--This person needs many of the same skills as the FAA Administrator. The appointee must be strong enough to "manage" a large technical staff, and must be dedicated to the guidelines outlined in this report.



## TASK FORCE ON TRANSPORTATION ISSUES

Claude S. Brinegar, Chairman  
Senior Vice President  
Union Oil Company of California

Ray A. Barnhart  
Commissioner, Texas Department  
of Highways and  
Public Transportation

Yale Brozen  
Professor of Business Economics  
Graduate School of Business  
University of Chicago

Robert J. Chambers  
Chairman of the Board & CEO  
Nu-Car Driveaway, Inc.

Harold Demsetz  
Professor of Economics  
Department of Economics  
University of California  
at Los Angeles

Ross D. Eckert  
Professor of Economics  
Department of Economics  
Claremont Men's College

Frank C. Herringer  
Senior Vice President  
TransAmerica Corporation

John D. Kramer  
Secretary  
Illinois Department of Transp.

Andrew L. Lewis  
Trustee & Joint CEO  
Redding Railroad & Trucking Co.

M.B. McGowan  
President  
Santa Fe-Pomeroy, Inc.

C. E. Meyer, Jr.  
President  
Transworld Airlines, Inc.

John R. Meyer  
Professor of Transportation  
Distribution and Logistics  
Harvard University

James C. Miller, III  
Co-Director and Resident Scholar  
Center for Study of Government  
Regulation  
American Enterprise Institute  
for Public Policy Research

Robert P. Neuschel  
Director, Transportation Center  
Northwestern University

Thomas C. Schumacher, Jr.  
Managing Director  
California Trucking Ass'n. and  
President of TRED Foundation

John W. Snow  
Senior Vice President  
CSX Corporation

Norbert T. Tiemann  
Vice President  
Henningson, Durham & Richardson, Inc.

Michael Raoul-Duval  
Vice President & Chief Strategic  
Officer  
The Mead Corporation

Stephen Sobotka  
Washington, D.C.  
Consultant to the Task Force



# What's to Be Done About Amtrak?

By JAMES C. MILLER III

pollute less per passenger mile than either

Earlier this year Amtrak threatened to



## U. S. DEPARTMENT OF TRANSPORTATION

## FISCAL YEAR 1981 BUDGET

(\$ in Millions)

	<u>Program Levels</u>	<u>Outlays</u>
Office of the Secretary	\$ 48	\$ 50
U. S. Coast Guard	1,867	1,839
Federal Aviation Administration	3,824	3,236
Federal Highway Administration	9,127	8,717
National Highway Traffic Safety Administration	279	267
Federal Railroad Administration	2,462	1,752
Urban Mass Transportation Administration	4,615	4,006
St. Lawrence Seaway Development Corporation	9	-3
Research and Special Programs Administration	44	34
Office of the Inspector General	15	15
<hr/>		
Subtotal	\$22,290	\$19,913
Proprietary Receipts	---	-50
Total	\$22,290	\$19,863



DEPARTMENT OF TRANSPORTATION  
FULL-TIME PERMANENT DIRECT POSITIONS

<u>Administration</u>	<u>1980</u>	<u>1981</u>
Office of the Secretary .....	1,171	1,188
U.S. Coast Guard		
Civilian .....	6,815	6,823
Military .....	39,473	39,487
Federal Aviation Administration .....	57,491	57,379
Federal Highway Administration .....	4,061	4,061
National Highway Traffic Safety Administration .....	874	874
Federal Railroad Administration .....	1,754	1,768
Urban Mass Transportation Administration .....	563	623
St. Lawrence Seaway Development Corporation .....	194	194
Research and Special Programs Administration .....	918	954
Office of the Inspector General .....	516	516
<b>Total - Civilian .....</b>	<b>74,357</b>	<b>74,380</b>
<b>          Military .....</b>	<b>39,473</b>	<b>39,487</b>
	<b>113,830</b>	<b>113,867</b>



November 26, 1980

MEMORANDUM FOR MR. CLAUDE S. BRINEGAR, Chairman, Transportation Task Force

One of the most critical issues in transportation is ensuring that the ICC implements effectively the recently enacted rail and truck regulatory reform bills. Both the rail reform bill and the truck reform bill have their origins in the Ford Administration. While not total deregulation by any means, they do advance the objective of letting competitive market forces play a substantially larger role in these industries. In the case of the rails, this course is essential to enable the industry to get on a financially self-sustaining basis, avoid the need for further Federal funding, and work our way out of the Conrail problem.

With the legislation passed, we are now in the implementation stage and the ICC's role becomes critical. The current ICC with its strong deregulation outlook is pointing in the right direction under Chairman Gaskins. It is absolutely essential that this pro-deregulation orientation be maintained. Otherwise, the regulatory reform objective will be frustrated as was the case with the Ford Administration's rail reform bill, the so-called 4-R Act. This potentially far-reaching legislation was undermined by narrow and limiting interpretations of an ICC not attuned to the operation of competitive market forces.

It is essential that the Reagan Administration take the appointments to the ICC very seriously and appoint people who will carry out the new legislation with a pro-deregulation point of view. Transportation policy for the rail and trucking industries is largely in the ICC's hands since they, and not DOT, have the hands-on control over the regulatory mechanisms.

I realize that our task force is not focusing on staffing issues, but I felt it essential to bring this people issue to your attention. In this case the people and policy issues are not separable. There are any number of well qualified people who would make good appointees. The appointment of such people is critical to the success of the Reagan Administration in the transportation area.

John W. Snow

CC: Mr. Stephen Sobotka



Memorandum from . . .

JOHN W. SNOW

December 8, 1980

Dear John:

The attached resume, Mr. Hinson, was sent to me by Jack Rosenthal who represents Flying Tigers Airline. Jack strongly recommends Mr. Hinson as a candidate for FAA saying he is first-rate.

Enclosure

*P.S. I don't know*

*Mr. Hinson from Adam.*





TENTATIVE LIST OF POSSIBLE CANDIDATES  
FOR DEPARTMENT OF TRANSPORTATION

John Robson  
12/8/80

DEPUTY SECRETARY

John Snow

Former Deputy Under Secretary, DOT;  
Administrator, National Highway Traffic  
Safety Administration; Currently Senior  
Vice President, CSX Corporation,  
Richmond, VA

Frank Herringer

Former Administrator, DOT; Urban Mass  
Transportation Administration; White  
House staff; Head of Bay Area Rapid  
Transit District (San Francisco);  
Currently Senior Vice President,  
Transamerica Corporation

Charles Baker

Former Assistant Secretary for Policy,  
DOT; Currently President (or Chairman),  
Harbridge House, Boston, MA

ASSISTANT SECRETARY FOR POLICY & INTERNATIONAL

James Miller, III

Formerly served in a variety of economic  
posts with DOT; Council of Economic  
Advisors; Council on Wage and Price  
Stability; Currently Senior Fellow with  
American Enterprise Institute

John R. Meyer

Prior government experience not known;  
Economist; Currently Professor of Trans-  
portation at Harvard Business School or  
Harvard School of Economics; Has done  
extensive work in transportation;  
Deregulator

Yale Brozen

Prior government experience not known;  
Economist; Currently Professor at  
University of Chicago Business School;  
Deregulator

Thomas Moore

Prior government experience not known; Economist; Currently at Hoover Institute; Has done extensive work in transportation and regulation; Deregulator

Ross Eckert

Prior government experience not known; Economist; Currently Professor of Economics at Claremont Men's College

Steven Sabotka

Economist; Former Professor of Economics and protege of George Schultz; Currently consultant, Washington, DC

GENERAL COUNSEL

Judith Hope

Former White House (Associate Director, Domestic Council); Currently, partner, Wald, Hardraker & Ross, Washington, DC

James C. Schultz

Former General Counsel, Civil Aeronautics Board; Assistant General Counsel, DOT; Antitrust Division attorney; General Counsel, Trailway Bus Systems; Currently partner, Baner, Hostettler, Washington, DC

Donald Bliss

Former Deputy General Counsel, DOT; Currently, partner in Bill Coleman's law firm, Washington, DC

Peter Clearwaters

Formerly Deputy Assistant Attorney General; Currently partner in law firm, Washington, DC

FAA ADMINISTRATOR

Recommend that the selection be made of a career military person (probably retired) or an astronaut (an ex-military astronaut, which most of them are). (Statutory limitation on military appointment has been waived before.)



ASSISTANT SECRETARY FOR BUDGET

Theodore Lutz

Former White House (Nixon) staffer;  
Deputy Under Secretary, DOT; Currently  
Administrator of UMTA, DOT; Also was a  
senior official with D.C. Metro organ-  
ization.

URBAN MASS TRANSPORTATION ADMINISTRATOR

Get someone schooled in public finance not a transit operator.  
The problems here are finance and program not operational.  
Keeping the current UMTA Administrator (Theodore Lutz) should  
be considered.

Jerome Van Gorken

Chairman, Transunion Corporation,  
Chicago, IL; Headed the task force on  
bailing out the Chicago Public School  
System

Eugene Croisant

Senior Vice President, Continental  
Illinois Bank, Chicago, IL; Respon-  
sibilities include administration and  
community affairs

John Kramer

Secretary of Transportation of Illinois

FEDERAL RAIL ADMINISTRATOR

Recommend against a railroad operating person for the job. The  
issues are finance, labor and Congressional.

Robert Blanchette

Former General Counsel, NY, New Haven RR:  
Trustee, Penn-Central; Currently, partner  
in Washington, DC law firm

Lawrence McCafferty

Washington Attorney



ASSISTANT SECRETARY, CONGRESSIONAL

Christine Rochford

Assistant Vice President, Government  
Affairs, Illinois Central Industries,  
Washington, D.C.

Douglas Cannon

Attorney, Coordinator for Government  
Affairs, Standard Oil of Indiana,  
Chicago



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Christine Rochford

Assistant Vice President, Government  
Affairs, Illinois Central Industries,  
Washington, D.C.

Douglas Cannon

Attorney, Coordinator for Government  
Affairs, Standard Oil of Indiana,  
Chicago



Background of  
THEODORE C. LUTZ



Personal Data:

Birthdate: September 24, 1945  
Health: Excellent  
Height: 6' 1"  
Weight: 175  
Address: 228 Noland Street, Falls Church, Virginia 22046  
Telephone: (703) 532-7634

Education:

M.P.A. (with distinction), Maxwell School, Syracuse University,  
Syracuse, New York, 1968.  
B.A., Carleton College, Northfield, Minnesota, 1967.  
Major in Government and International Affairs  
Graduated from Richfield High School, Richfield, Minnesota, 1963.

Professional Employment Experience:

December 1979 to present<sup>1/</sup>: Administrator, Urban Mass  
Transportation Administration, U.S. Department of  
Transportation, Washington, D. C.

Following nomination by the President and confirmation  
by the United States Senate, serves as Administrator  
for a Federal assistance program totaling approximately  
\$4-1/2 billion, supervising approximately 550 employees  
located in the Washington, D.C., area and 10 Regional  
Offices throughout the country. Principal responsi-  
bilities include development of policy proposals,  
testifying before the Congress, working with other  
elements of the Executive Branch, and dealing with  
State and local governmental units throughout the  
nation on public transportation.

November 1976 to May 1979<sup>2/</sup>: General Manager, Washington  
Metropolitan Area Transit Authority (METRO), Washington,  
D. C.

Served as chief executive officer for the regional public  
transportation agency, with approximately 6,500 direct  
employees and supervisory responsibility for a \$300-\$400  
million annual construction program. Given the

---

<sup>1/</sup> Consultant to the Secretary of Transportation from  
September 21, 1979, to December 18, 1979.

<sup>2/</sup> Consultant to new General Manager of METRO from May 7,  
1979, to September 20, 1979.

exceptionally complicated intergovernmental structure of the Washington region, had to work effectively with many State and local officials to expand service, improve efficiency, and advance the construction program of this significant public project.

March 1973 to November 1976: Deputy Under Secretary for Budget and Program Review, U.S. Department of Transportation, Washington, D. C.

Served as principal staff advisor to Secretary of Transportation on a full range of budget, legislative and program review issues. Departmental budget and program analysis staff (approximately 40) reported to this position. Worked carefully with Executive Branch officials, Congressional Committees, and public/private interest groups to develop and secure approval of Departmental budget and legislative proposals.

June 1968 - March 1973: Budget Examiner, U.S. Office of Management and Budget, Executive Office of the President, Washington, D. C.

Reviewed and analyzed budget requests, organizational plans, and legislative proposals from agencies and made recommendations to senior Administration officials for inclusion in President's budget or program. Worked with agencies on studies/projects to improve productivity and effectiveness. Worked on complex intergovernmental programs (transportation, sewage treatment) affecting quality of life in National Capital region.

Awards and Honors:

- \* Rail Man of the Year Award, Modern Railroads/Rail Transit Magazine, 1979.
- \* Chancellors Award, Syracuse University, 1979.
- \* Washingtonian of the Year Award, Washingtonian Magazine, 1978.
- \* U.S. Department of Transportation Superior Performance Award, 1975.
- \* Secretary's Outstanding Achievement Award, U. S. Department of Transportation, 1975.
- \* U.S. Department of Transportation Superior Achievement Award, 1973.
- \* Professional Achievement Award, U.S. Office of Management and Budget, 1972.



Miscellaneous:

Married in 1970 to the former Willa Jean Boyd. One son,  
Christopher, born August 18, 1978.

Member, Trinity Presbyterian Church, Arlington, Virginia.

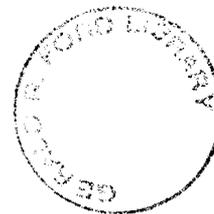
Hobbies: Softball, basketball and tennis; travel.

References:

On request.



Background of  
THEODORE C. LUTZ



Personal Data:

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Member, Trinity Presbyterian Church, Arlington, Virginia.

Hobbies: Softball, basketball and tennis; travel.

References:

On request.



# NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS



"Putting It All Together For The Engineer"



## BIOGRAPHY OF SAMMIE F. LEE, P.E. Immediate Past President, NSPE

Sammie F. Lee, P.E., of Louisville, Kentucky has served with distinction as president of the nearly 80,000-member National Society of Professional Engineers in July, 1979. He has served the professional organization in numerous capacities: vice president for the Central Region from 1975-77; chairman of the Legislative & Government Affairs Committee in 1978, representing the Society and the engineering profession on important Congressional issues and to member of Congress; president of the Kentucky Society of Professional Engineers in 1970; and as chairman and member of various committees within the Society.

His own Kentucky state society honored him recently with the Distinguished Service Award for continued service to the betterment of the engineering profession in the state.

Mr. Lee is currently chairman of the board of Miller, Wihry & Lee, Inc., a Louisville based consulting firm in the fields of landscape architecture, engineering and planning. The firm also maintains offices in Nashville, Tennessee; Corydon, Indiana; and Washington, D.C. He joined this firm in 1969 after have served as Jefferson County Engineer and director of Public Works from 1962-69. Previous employment included the Portland Cement Association, Kentucky Department of Highways and the U. S. Air Force.

He is a registered professional engineer in Kentucky, Tennessee, Indiana, Illinois, Georgia, Florida, Virginia, Ohio, Maryland, and the District of Columbia, and a registered land surveyor in Kentucky.

Mr. Lee holds the fellow grade of membership in the American Society of Civil Engineers and American Consulting Engineers Council and is a member of the American Public Works Association, Institute of Transportation Engineers, Engineers and Surveyors Association, American Planning Association and Society for Marketing Professional Services.

He received his bachelor's and master's degrees from the University of Kentucky in 1951 and 1956, respectively, both in civil engineering.

Mr. Lee is a member of the Downtown Louisville Lions Club and served as president in 1971-72 and subsequently as zone chairman and deputy district governor.

He is a member of the Louisville Area Chamber of Commerce and has served on numerous committees both as chairman and member. He is a member of Louisville Lodge No. 400, Scottish Rite and Kosair Shrine Temple, as well as a member of Christ United Methodist Church.

Mr. Lee and his wife Frances have one son, David, also a practicing civil engineer in Kentucky; and two daughters: Cynthia is a graduate of the University of Kentucky and Karen is a junior at the University.



DAVID RUSSELL HINSON

**BUSINESS AFFILIATIONS:**

President, Hinson-Mennella, Inc. (holding company)  
President, Flightcraft, Inc. - Portland, Seattle and  
Spokane. Flightcraft is the largest General Aviation  
service company in the Pacific Northwest, representing  
Beech Aircraft Corporation in Oregon, Washington, Idaho  
and Alaska  
Executive Vice President, Stanley Garage Door Company  
Director, The Oregon Bank  
Director, Midway Airlines



**CAREER HISTORY:**

9/73 - President, Hinson-Mennella, Inc.  
9/73 - President, Flightcraft, Inc.  
1971-1973 - Executive Assistant to the General Manager,  
Hughes Airwest, San Francisco  
1963-1971 - Director, Flight Standards and Engineering,  
Hughes Airwest, San Francisco  
1961-1963 - Captain, Flight Instructor, United Airlines  
1958-1961 - First Officer, Northwest Airlines  
1955-1958 - Naval Aviator

**EDUCATION:**

1951-1955 - University of Washington, BA  
1955-1956 - U.S. Navy Flight Training  
1972-1972 - Stanford University Graduate School of Business, SEP

**MEMBERSHIPS (PROFESSIONAL)**

Member, Young Presidents' Organization (YPO)  
Member, Society of Air Safety Investigators (Associate)  
Member, U.S. Naval Institute  
President, Providence Medical Center Advisory Board  
Vice President, Northern Oregon, U.S. Tennis Association  
Trustee, Portland State University (15,000 students)

**MEMBERSHIPS (SOCIAL, FRATERNAL, ETC.)**

Arlington Club, Portland  
Multnomah Athletic Club, Portland  
West Hills Racquet Club, Portland  
Seattle Tennis Club  
Phi Delta Theta

**ADDITIONAL BACKGROUND:**

Listed in "Who's Who in Aviation"  
Recipient of Hughes Airwest Award of Merit, 1971  
Navy Fighter Pilot, 1956-60  
Engineering Pilot, Production Test Pilot, has flown more than 75  
different aircraft - over 9,000 hours  
Holds the following ratings:  
Airline Transport (ATR), Commercial, Instrument, Flight Engineer  
Type Rated in DC-3, DC-4, DC-6, DC-7, DC-9, F-27, FH27

**PERSONAL:**

Married, wife Ursula, three children: Eric 20; Spencer 19; Heidi 17  
Home: Lake Oswego, Oregon  
Age: 47

## AVIATION BACKGROUND

**Military:** Designated a Naval Aviator in 1955. Assigned to Carrier Air Group 9. Flew F2H-3s in VF-92 aboard the U.S.S. Kearsarge and U.S.S. Bon Home Richard. After four years of active duty, returned to graduate school at University of Washington. Continued flying in Naval Reserve for six more years. Flew ADs in the reserve for two years and then R5Ds for four years.

**Airline:** Joined Northwest as a line pilot in 1958. Flew DC-4, DC-6 and DC-7C aircraft domestically and to the Orient. Resigned in 1963 to join United Airlines as a Captain and Flight Instructor on DC-6 and DC-7 aircraft. In 1963 was named Director of Flight Training for West Coast Airlines. When WCA became Air West in 1968, was named Director, Flight Standards and Engineering. During this time I worked with Douglas on development of the DC-9 and participated in cockpit design and human factor engineering studies. Also, a member of ATA training committee for four years and participated in many of the early debates on two vs. three-man crew question. In 1968, when Hughes acquired Air West, was asked to assist the new General Manager. In three years turned a 22 million loss into 1.2 million profit. This was followed by profits of 6 million and 8 million the next two years.

**General Aviation:** In 1973 formed Hinson-Mennella, Inc. and acquired Flightcraft, Inc. in Portland. In 1980 Hinson-Mennella acquired Stanley Garage Door Co. in Seattle. Between 1973 and 1980, Hinson-Mennella has grown from 4.8 million in sales to about \$50 million. Our five year projection calls for sales of \$100 million (including one acquisition in 1982).

During this seven year period, I have become very intimate with the problems of general aviation. Worked with GAMA and Ed Stimson on several projects. Established and built two new large aviation facilities in Spokane and Seattle.

**Contacts:**

Ed Stimson	- General Aviation Manufacturers Association (GAMA)
Frank Hedrick	- President, Beech Aircraft Corp.
Jack Real	- President, Hughes Helicopters
Irving Tague	- Chairman, Midway Airlines
Robert Northington	- Director, Piedmont Airlines
Frank Hulse	- Vice Chairman, Republic Airlines

SUMMARY RESUME

DONALD T. BLISS, JR.



Home

5809 Bradley Blvd.  
Bethesda, Maryland 20014

Tel: 301-229-4573

Office

O'Melveny & Myers  
Suite 500  
1800 M Street, N. W.  
Washington, D.C. 20036

Tel: 202-457-5300

PERSONAL

Born: November 24, 1941 at Norwalk, Connecticut  
Married to Nancy Arnold Bliss, one son.

EMPLOYMENT

Partner, O'Melveny & Myers  
[Law firm of 230 attorneys with offices in  
Los Angeles, Washington & Paris]

Practice includes general litigation and  
administrative law

PAST EMPLOYMENT

Deputy General Counsel, U.S. Department of  
Transportation, 1975-77.  
[Acting General Counsel, 1976-77]

Chief of Staff, Administrator's Policy Advisory Council,  
Agency for International Development, Department  
of State, 1974-1975

Special Assistant to the Administrator of the  
Environmental Protection Agency, 1973-74

Assistant to the Secretary of Health, Education  
& Welfare and Executive Secretary to the  
Department, 1969-74

Peace Corps Volunteer Lawyer, Micronesia, 1966-68.

EDUCATION

J.D., cum laude, Harvard Law School, 1966  
B.A., highest honors, Principia College, 1963 (Economics  
major)

[Complete Resume is Attached]

PRESENT EMPLOYMENT

Partner, O'Melveny & Myers  
1800 M Street, N. W.  
Washington, D.C. 20036



General litigation and administrative law practice before federal district and appellate courts and administrative agencies, and some legislative work (drafting legislation and testimony for Congressional hearings). Practice has included work in transportation, communications, environmental and health law.

EMPLOYMENT EXPERIENCE

July 1, 1976-February 14, 1977

Acting General Counsel of the Department of Transportation

The General Counsel is the principal legal advisor in the Department of Transportation and the final authority on all legal questions which arise in the Department. The General Counsel supervises a staff of 35 lawyers in the Office of the Secretary and is responsible for coordinating and supervising work of all other legal offices in the Department that serve its component agencies (over 300 lawyers). The General Counsel serves as Acting Secretary of Transportation in the absence of the Secretary and Deputy Secretary.

Among the transportation issues with which I was involved are the following:

1. Aviation matters, including aircraft noise, negotiation of bilateral aviation agreements, economic deregulation, and air safety (including the preparation of an Aviation Noise Policy, the Secretary's decision on the Concorde supersonic aircraft and the defense of that decision in the Congress and in the federal courts, and the President's Statement of International Air Policy.)
2. Litigation before federal courts and administrative agencies in defense of Secretarial decisions and to advocate sound transportation policies before the Civil Aeronautics Board and Interstate Commerce Commission on pending issues such as the abandonment of unprofitable railroad lines, seasonal and peak period ratemaking, market dominance, airline fares, and route proceedings.

3. Legislative activities including the drafting of testimony and bills, and Congressional appearances to support inter alia the Administration's regulatory reform program to reduce economic regulation of the air carrier, railroad and motor carrier industries.

4. The Secretary's decisions on the construction of major interstate highways (including I-66 in Virginia and Westway in New York).

5. Government reform matters, including the overhaul of the Department's civil rights statutory authority and regulations and conflict of interest regulations.

6. Counsel to the Secretary on major decisions, involving railroad reorganization, urban mass transportation, environmental impact statements, oil spill liability, federal maritime laws, deepwater port licenses, and motor vehicle safety standards.

Supervisor: William T. Coleman, Jr.

November 1975-June 16, 1977

Deputy General Counsel to the Department of Transportation

The Deputy General Counsel serves as alter-ego to the Department's General Counsel.

Supervisor until June 1976: John Hart Ely, formerly General Counsel and currently Professor of Constitutional Law, Harvard Law School.

July 1975 to November 1975

Special Assistant to the Secretary of Transportation

Served as the senior member of the Secretary's staff (S-3); provided advice and assistance to the Secretary on a broad range of transportation issues, with special emphasis on domestic and international aviation policy, national transportation policy, construction of interstate highways, metropolitan transportation issues, safety, and new program initiatives. Served as one of eight members of the Secretary's Policy Committee, providing

advice on major policy issues requiring Secretarial decision, and as a liaison to White House Domestic Council.

Supervisor: William T. Coleman, Jr.

June 1974 to July 1975

Chief of Staff, Administrator's Advisory Council,  
Agency for International Development, Department of  
State and Special Assistant to the Administrator

Directed staff support for the Administrator's Advisory Council, consisting of the regional and program Assistant Administrators. The Council made recommendations to the Administrator on foreign assistance policy. As special assistant, also performed special projects for the Administrator on various foreign assistance issues. Contributed to or wrote new Agency policies in the following areas: foreign aid legislative program, foreign aid procurement policy, the housing loan guarantee program, the role of women in development, rural development, science and technology transfer to developing nations, population control, a borrowing guarantee authority for more advanced developing countries, and aid for the least developed nations.

Supervisor: Daniel Parker

October 1973 to June 1974  
(temporary assignment)

Executive Secretary to the Environmental Protection  
Agency and Special Assistant to the Administrator

Was offered and accepted position of Special Assistant to the Attorney General. When the resignation of the then Attorney General Elliot Richardson prevented my assuming position, I undertook this special assignment and created and directed a new office that established procedures for decisionmaking and coordination at EPA.

Supervisor: Russell E. Train



June 1969-September 1973

Assistant to the Secretary of Health, Education and Welfare and Executive Secretary to the Department

Responsible for monitoring and coordinating policy development and implementation, assigning action responsibility on behalf of the Secretary and the Under Secretary following through on Secretarial decisions and White House and Executive Office directives, and managing HEW's Executive Secretariat (50 positions).

Served as Department Regulations Officer coordinating the timely preparation of Department regulations and working with the Advisory Committee on Intergovernmental Relations and the Federal Register. Served as one of seven members of the Department's Management Council, chaired by the Under Secretary; as a member of the Secretary's Committee to review the legal recommendations of the Administrative Conference; Vice-Chairman of the Department's Management Advisory Committee, concerned with labor-management relations. Served as Project Manager for the Implementation of H.R. 1 (P.L. 92-603), a far-reaching reform of welfare, medicaid, medicare, and social security assistance. As Project Manager, coordinated the resolution of major policy issues facing new programs such as the Supplemental Security Income Program, skilled nursing home policy, Professional Standards Review Organizations, and others.

Among the issues with which incumbent was involved were: welfare reform legislation and regulation, national health insurance legislation, education amendments and program consolidation, food and drug regulation, health maintenance organizations, juvenile delinquency, and programs affecting older Americans and the handicapped.

Supervisor: Elliot L. Richardson for 2-1/2 years, Caspar W. Weinberger for 9 months, Robert H. Finch for 11 months.

January 1969 to June 1969 (also June to September 1965 as a summer associate)

Associate, LeBoeuf, Lamb, Leiby & MacRae  
One Chase Manhattan Plaza, New York, New York  
(Moved to 140 Broadway)

Insurance and administrative law, involving state and federal regulatory agencies, and appellate litigation.



July to October 1968

Legal Advisor, Judiciary, American Samoa

Organized, compiled and edited a Samoan Court Reporter.

August 1966 to July 1968

Peace Corps Volunteer Lawyer; Trust Territory of the Pacific Islands, Micronesia.

Served as a Legislative Counsel to the Congress of Micronesia.

Director, Ponape District Legal Services, Counsel to the Ponape Transportation Board, Editor, Micronesian Advocate.

#### AWARDS AND RECOGNITIONS

President's Management Improvement Certificate (1970)  
Special Citation of the Secretary of Health, Education and Welfare (Elliot L. Richardson), 1972  
The Secretary's Award for Outstanding Achievement, (Department of Transportation), 1977

#### SELECTED PUBLICATIONS

Co-Editor, Volumes I, II, III of the Trust Territory Reports, Equity Publishing Corporation, Oxford, New Hampshire, 1969  
"The Role of the Peace Corps Lawyer in Micronesia," Micronesian Advocate, 1967  
"Land Use Planning in Micronesia," Micronesia Advocate, 1967  
"Making Transportation Policy," Transportation USA, 1976

#### ADMITTED TO PRACTICE AS ATTORNEY AT LAW

New York  
Trust Territory of the Pacific Islands  
District of Columbia  
Supreme Court of the United States,  
and various other federal courts.

PROFESSIONAL AFFILIATIONS

American Bar Association: Divisions on Litigation and  
Administrative Law  
D.C. Bar Association  
Federal Bar Association  
Communications Bar Association

REFERENCES

Will be supplied upon request.

PERSONAL HISTORY RESUME

NAME : Keith I. Clearwaters

ADDRESS : 6370 Dockser Terrace  
Falls Church, Va. 22041  
Home Phone: (703) 941-8641

EDUCATION : Marion High School, Marion, Iowa (1956-1959)

State University of Iowa, Iowa City, Iowa  
(1959-1962); Degree: B.A. 1963 (Major  
field - Political Science)

State University of Iowa Law School, Iowa  
City, Iowa (1962-1965); Degree: J.D.  
with distinction.

Activities : Comments Editor, Iowa Law Review,  
Vol. 50, 1964-65.

PROFESSIONAL BACKGROUND:

Admitted to practice before the courts of Iowa, New York, the District of Columbia and the U.S. District Courts for the Southern District of New York and Vermont.

January 1977 - Present

Member, Chapman & Clearwaters.  
Engaged in antitrust counselling and litigation, counselling of trade associations in general economic and governmental issues, congressional representation and testimony involving energy and antitrust matters, advise to investment banking institution in connection with antitrust and corporate matters, representation in FCC radio licensing proceedings.

June 1975 - December 1976

Member, Galland, Kharasch, Calkins & Brown.  
Engaged in antitrust counselling and litigation, counselling and litigation involving a wide range of maritime and airline matters, advised investment banking institution in connection with antitrust and corporate matters.

September 1973 - June 1975

Appointed Deputy Assistant Attorney General. This position basically involved special litigation supervision, administrative duties, and interagency and intergovernmental liaison.



Primarily responsible for the Division's legislative program for developing and implementing the Division's position on legislation pending before the Congress, for the general administrative affairs of the Division, for coordinating positions with other executive branch agencies on legislation and agency action, for consumer protection matters and for litigation requiring an intensive supervision as would, from time to time, be assigned by the Assistant Attorney General. Represented the Department before Congressional committees and appeared for the Attorney General on interagency committees and task forces, including matters involving the Civil Aeronautics Board.

January 1971 - September 1973

Appointed as Special Assistant to Richard W. McLaren, Assistant Attorney General, Anti-trust Division. As a member of the top staff of the Division, general responsibilities included preparation of speeches and congressional testimony, congressional liaison, press relations, review of proposed cases, preparation of memoranda to the Attorney General, participation in interagency committees and subcabinet working groups, and meetings on behalf of the Assistant Attorney General with private counsel. Also attended and participated in meetings of the Cabinet Economics Committee, of congressional leaders and of key White House aides concerning a variety of matters, including regulatory reform.

September 1970 - January 1971

Appointed as senior staff associate to the President's Advisory Council on Executive Organization ("Ash Council"). On April 5, 1969, the President announced the appointment of the Ash Council to undertake a thorough review of the organization of the Executive Branch of the Federal Government. As a part of its mandate, the Council embarked on a far-reaching study of the independent regulatory agencies. Personal responsibilities included analysis and input on the recommendations to be made by the Council concerning the federal regulatory structure. In charge of substantive review



of the report on the agencies, ultimately published by the Council in January, 1971 under the title "A New Regulatory Framework." In addition, undertook primary responsibility for the preparation of the chapter of the report dealing with the recommendations for the transportation agencies (ICC, FMC and CAB). Provided background briefing for the Executive Director of the Council and participated in presentations to the Chairman of the CAB and the Secretary of Transportation.

June 1969 - September 1970

Joined the Antitrust Division, Department of Justice as Trial Attorney, later promoted to Attorney Advisor. Participated extensively in proceedings before the federal judiciary and federal regulatory agencies. Undertook primary trial staff responsibility in United States v. Oswego Steamship Corp. (W.D.N.Y.) (Settled by consent to divestiture); Transatlantic Freight Conference Agreement (FMC) (with drawn by proponents of agreement); In re Applications of RKO General for Renewal of Television License (FCC); number two man during discovery proceedings in United States v. Otter Tail Power Company (D. Minn.).

1965 - 1969

Associated with the firm of Simpson Thacher & Bartlett, New York. Engaged in antitrust litigation and counseling, SEC litigation and corporate counseling, and commercial law litigation for a number of major corporations and financial institutions.



Small Business in Gasoline Marketing, Testimony before the Subcommittee on Activities of Regulatory Agencies Relating to Small Business of the Select Committee on Small Business, House of Representatives, Washington, D.C., May 23, 1972

Antitrust Merger Policy, Lecture to the Conference on Mergers and Acquisitions Sponsored by the New York Law Journal, Los Angeles, California, November 4, 1972

Trade Associations and the Antitrust Laws -- A View From the Justice Department, Lecture to the D.C. Bar Association Antitrust Law Committee, Annual Trade Association Symposium, Washington, D.C. March 21, 1973

The Antitrust Laws and Foreign Commerce, Lecture to the Association of General Counsel, Hot Springs, Virginia, May 4, 1973

Antitrust Implications Concerning Deepwater Terminals - S. 1751, Testimony before the Committee on Commerce, Committee of Interior and Insular Affairs, Committee on Public Works, United States Senate, Washington, D.C., October 3, 1973

Natural Gas Regulation - S. 2506, Testimony before the Committee on Commerce, United States Senate, Washington, D.C., December 12, 1973

Antitrust Implications of Agricultural Bargaining, Lecture to The National Bargaining Conference, Washington, D.C., January 14, 1974

Proposed Amendments to the Food, Drug and Cosmetic Act - S. 2373, Testimony before the Consumer Subcommittee of the Commerce Committee, United States Senate, Washington, D.C., March 11, 1974

The Effects of New Energy Laws on Antitrust, Economic Regulatory and Administrative Procedure, Lecture to the Federal Bar Association, Briefing Conference on the Energy Crisis and the Law, Washington, D.C., March 29, 1974

Antitrust Cooperatives -- Some Current Views, Lecture to the National Symposium on Cooperatives and the Law, Madison, Wisconsin, April 23, 1974

The Impact of Interior Department Leasing and Joint Venture Bidding on Santa Barbara's Oil Leases, Testimony before the Subcommittee on Activities of Regulatory Agencies of the Select Committee on Small Business, U.S. House of Representatives, Washington, D.C., May 7, 1974

Franchising and the Antitrust Laws, Lecture to the International Franchise Association, Washington, D.C., May 16, 1974

A Bill to Amend the Commodity Exchange Act - H.R. 13113, Also S. 2485, S. 2578 and S. 2837, Testimony before the Committee on Agriculture and Forestry, United States Senate, Washington, D.C., May 21, 1974

Agricultural Cooperatives and the Antitrust Laws, Lecture to the Eastern Milk Producers Cooperative Association, Inc., Syracuse, New York, June 5, 1974

Cooperation Against Conspiracy -- State and Federal Enforcement of the Antitrust Laws, Lecture to the Sixty-Eighth Meeting of the National Association of Attorneys General, Coeur d'Alene, Idaho, June 24, 1974

Amendments to the 1916 Shipping Act - H.R. 12428, H.R. 12429, H.R. 8097 and H.R. 739, Testimony before the Committee on Merchant Marine and Fisheries, U.S. House of Representatives, Washington, D.C., August 15, 1974

Antitrust Policy Versus Carrier Policy, Lecture to the Fourth Transportation Law Seminar, Washington, D.C., October 24, 1974

Economic Policy and Procedural Aspects of the Charter Guidelines, Testimony before the Committee on the Judiciary, Subcommittee on Administrative Practice and Procedure, United States Senate, Washington, D.C., November 7, 1974

Challenges Facing Dairy Bargaining Cooperatives, Lecture to the Dairy Conference of the American Farm Bureau Federation's 56th Annual Meeting, New Orleans, Louisiana, January 6, 1975

Department of Justice Enforcement Policies With Respect to Business Practices in an Inflation and Shortage Economy -- Trying to Keep Up With the Game, Lecture to the New York State Bar Association, Antitrust Law Section, New York, New York, January 22, 1975

A Bill to Authorize the Secretary of Interior to Establish on Certain Public Lands of the United States National Petroleum Reserves to be Developed in a Manner Consistent with the Total Energy Needs of the Nation - H.R. 49, Also H.R. 2633 and S. 595, Testimony before the Subcommittee on Investigations, Armed Services Committee, U.S. House of Representatives, Washington, D.C., March 26, 1975

Antitrust Limitations on Cooperatives -- New Legislative Initiatives, Lecture to the Federal Bar Association, Midwestern Regional Conference, Kansas City, Missouri, April 3, 1975



A Bill to Authorize the Secretary of Interior to Establish on Certain Public Lands of the United States National Petroleum Reserves to be Developed in a Manner Consistent with the Total Energy Needs of the Nation - H.R. 49, Also H.R. 2633, Testimony before the Subcommittee on Public Lands, Committee on Interior and Insular Affairs, U.S. House of Representatives, Washington, D.C., April 8, 1975

On Repeal of the Federal Enabling Legislation for Fair Trade Laws - H.R. 2384, H.R. 2390 and H.R. 3411, Testimony before the Monopoly and Commercial Law Subcommittee, Committee on the Judiciary, U.S. House of Representatives, Washington, D.C., April 10, 1975

The Rate Bureau -- An Idea Whose Time Has Gone, Lecture to the Federal Bar Association, 1975 Transportation Law Seminar, Interstate Commerce Commission, Washington, D.C., April 22, 1975

Consumer Fraud Act - S. 670, Testimony before the Subcommittee for Consumers, Senate Committee on Commerce, United States Senate, Washington, D.C., April 23, 1975

U.S. Railway Association Preliminary System Plan, Testimony before the Subcommittee on Transportation, House Interstate and Foreign Commerce Committee, U.S. House of Representatives, Washington, D.C., May 8, 1975

Antitrust Limitations on Cooperatives -- New Legislative Initiatives, Lecture to the Federal Bar Association, Midwestern Regional Conference, Agriculture and the Law, Kansas City, Missouri, April 3, 1975

The Rate Bureau -- An Idea Whose Time Has Gone, Lecture to the Federal Bar Association, 1975 Transportation Law Seminar, Interstate Commerce Commission, Washington, D.C., April 22, 1975

Regarding the Establishment of a Commission to Study the Law and Policies of the United States as Affecting Competition, Testimony before the Senate Select Committee on Small Business on Behalf of the National Federation of Independent Business, Washington, D.C., January 25, 1978

The Administration's Antitrust Enforcement Policy - Where Is It Going and What's Wrong With It, Lecture to The Colorado Association of Corporate Counsel, Denver, Colorado, May 18, 1978

Antitrust Policies Under the Carter Administration, Lecture to the Motorola Law Department, Schaumburg, Illinois, November 16, 1978



STEPHEN SOBOTKA

Office: 2501 M Street N.W.  
Washington, D.C. 20037  
(202) 887-0297

Residence: 2230 California St. N.W.  
Washington, D.C. 20008

EXPERIENCE SUMMARY

Dr. Sobotka is an economist with extensive experience in the academic field, industry, consulting and contract research. An authority on the economics of the transportation and energy industries, he has been president of Sobotka & Company since 1971. Assisting senior management and public officials in understanding complex economic and technical issues, he has directed projects for government agencies and for private clients. In addition, he has held faculty appointments at Northwestern University and Stanford University and has served on the senior staff of Shell Oil Company.

EMPLOYMENT

1971 to Present

Sobotka & Company, Inc. (SCI), President and principal stockholder. SCI is a consulting and research firm with offices in Washington, D.C. and New Cannan, Connecticut. The firm concentrates on economic and technical analysis in the transportation and energy industries. Its major clients have been various U.S. government agencies (DOE, EPA, DOT) and private industry (largely transportation and petroleum companies), law firms and other consulting firms. Dr. Sobotka has directed the SCI's work relating to regulatory reform (deregulation) of the airline, railroad and motor carrier industries, and the analyses that SCI has performed of the impacts of environmental and energy policies.

1972 & 1974

Stanford University, Graduate School of Business, Visiting Professor.

1964 to 1971

Shell Oil Company. Last position: Senior Advisor for marketing, manufacturing and transportation.

1961 to 1964

Arthur D. Little, Inc., Senior Staff Associate. Dr. Sobotka directed analytic work for clients in transportation and energy related areas.

1959 to 1961

University of Chicago, Graduate School of Business, Associate Professor, Research Associate, and Director of Regional Economic Research.

1957 to 1959

Northwestern University Transportation Center, Assistant Director of Research.

EDUCATION:

University of Chicago, Ph.D. (economics) 1952  
University of Chicago, M.A. (economics) 1950  
University of Chicago, Ph.B. (social sciences) 1948



PERSONAL DATA

Born June 11, 1926. U.S. Citizen. Divorced.

U.S. Army 1944/1947, reserve to 1950, discharged 1st Lieutenant, military intelligence

Dr. Sobotka is a licensed private pilot. His hobbies are sailing and skiing.

SELECTED PUBLICATIONS:

BOOKS

The Economic Value of the U.S. Merchant Marine,\* The Transportation Center at Northwestern University.

Profile of Michigan, the Free Press of Glencoe (Division of Crowell Collier).

"Cost Standards for Rail Pricing"\* in Railroad Regulation and Regulatory Reform, Edited by P.W. MacAvoy and J.W. Snow, American Enterprise Institute, 1977.

"Certificate Values"\* in Regulation of Entry and Pricing in Truck Transportation, Edited by P.W. MacAvoy and J.W. Snow, American Enterprise Institute, 1977.

"Traffic Diversion and Energy Use Implications: Another View"\* In Regulation of Entry and Pricing in Truck Transportation, Edited by P..W. MacAvoy and J.W. Snow, American Enterprise Institute, 1977.

ARTICLES

"Union Influence on Wages: The Construction Industry", Journal of Political Economy, April 1953.

"Earnings of Airline Pilots", The Transportation Center at Northwestern University, 1958.

"Projections of Flight Crew Employment by U.S. Scheduled Airlines 1964 and 1965,\*" The Journal of Air Law and Commerce, Vol. 27, 1960.

"Linear Programming as a Device for Predicting Market Value" Prices of Used Commercial Aircraft 1959-1965"\* The Journal of Business, Vol. XXXIV, No. 1.

The Role of Transfer Prices in Decision Making of Divisionalized Firms, Arthur D. Little, Inc., 1963.

The Use of Portfolio Analysis for the Allocation of Research and Development Funds, \* Arthur D. Little, Inc., 1964.

\*Co-author



# Sears, Roebuck and Co.

1211 Connecticut Avenue

Washington, D. C. 20036

June 6, 1980

Resume  
Stanton P. Sender

Area Code 202  
223-5840

Stanton P. Sender is Transportation Counsel, Sears, Roebuck and Co.

He has been a member of the United States Railway Association Board of Directors since September 23, 1978, for a term expiring July 8, 1980, as a representative of shippers.

He is currently serving as Treasurer, and member of the Board of Directors and Executive Committee of the National Industrial Traffic League. He is a member of the Transportation Committees of the American Retail Federation and National Retail Merchants Association. He was recently appointed Vice Chairman Transportation Committee, American Bar Association, Administrative Law Section.

He is the former Chairman of the Transportation Council and is a member of the National Council, Federal Bar Association; and former General Counsel and member of the National Council, Transportation Research Forum. He is a former member of the Committee on Surface Freight Transportation Regulation of the National Research Council; a member of the Committee on Legislation, Association of I.C.C. practitioners; member of the Public Utility and Administrative Law Section, American Bar Association. He is an alternate member, TAA User Panel.

He is a past Chairman of the National Industrial Traffic League Legislative Committee; past Chairman of the D.C. Chapter, I.C.C. Practitioners Association, past Chairman of the Facilitation Committee, Transportation Association of America; and past member of the Executive Committee, Hazardous Materials Advisory Committee. He has served as a member of the I.C.C. Tariff Users Advisory Committee; of the Transportation Council of the National Commission on Productivity and Quality of Working Life; of the American Assembly at Arden House on Transportation; and of the National Academy of Sciences Study Group on Legal Aspects of Intermodal Transportation and Urban Commodity Flow Conference.

His career in transportation began over twenty years ago in December, 1957, when he was appointed an Assistant Attorney General of the State of Washington, assigned as a Counsel to the Washington Public Service Commission (now Washington Utilities and Transportation Commission). In November, 1961, he joined the staff of the Office of the General Counsel of the Interstate Commerce Commission in Washington, D. C. as a trial attorney.

He was asked to become Counsel to the Surface Transportation Subcommittee of the Senate Commerce Committee in November, 1963. From March to October, 1966, he assisted the Senate Government Operations Committee during that Committee's consideration of the legislation which created the Department of Transportation. In January, 1967, he was named Transportation Counsel to the Senate Commerce Committee.

In March, 1969, he joined Sears as their Transportation Counsel, in Washington, D. C.. He provides Sears management with expert counsel on transportation and distribution matters



Mr. Sender has taught Transportation Regulation, as an Adjunct Professor, at Georgetown University Law Center, beginning in 1970. He has spoken before numerous transportation groups, and has authored articles and papers on various transportation subjects. He is a member of the bar of the U.S. Supreme Court, and of Washington, D.C..

He was born in Seattle, Washington; graduated from Harvard College, magna cum laude, in 1953; and Harvard Law School, cum laude, in 1956. He resides in Washington, D. C., with his wife, Michelle, and son, Jason, age 5.





STANTON P. SENDER

Office Address: 1211 Connecticut Avenue, N.W.  
Washington, D. C. 20036

Telephone: (202) 223-5840

Home Address: 2801 - 29th Place, N.W.  
Washington, D. C. 20008

Telephone: (202) 462-3177

Since March, 1969, Mr. Sender has been a senior attorney in the Washington, D. C. Government Affairs Office of Sears, Roebuck and Co. specializing in distribution, transportation and postal matters. His responsibilities include identifying and analyzing public policy issues affecting Sears interests in these areas; advising and counseling on the development of corporate policy on such issues; and planning, organizing and carrying out programs to implement these policies. He advocates the company's policies to the Administration, governmental agencies, and Congress both directly and through trade organizations and committees.

He advocated and successfully implemented Sears company objectives in connection with the enactment of the Postal Reorganization Act of 1970; the Regional Rail Reorganization Act of 1973; the Railroad Revitalization and Regulatory Reform Act of 1976; the Air Cargo De-Regulation Act of 1977; and the Airline De-Regulation Act of 1978. He was invited by President Ford to attend the White House signing ceremony of the Railroad law in 1976; and by President Carter to the 1978 signing ceremony of the new Airline law.

His responsibilities have also extended during the last ten years to planning and carrying out programs on a wide range of legislative and regulatory matters affecting Sears, such as product safety, warranty and guaranty and hazardous materials legislation; regulations with respect to tires and boating safety; wage and price controls on transportation; energy legislation and regulation on transportation and use of fuels; and international treaties and laws relating to import and export transportation, trade barriers and documentation.

In September, 1978, Mr. Sender was appointed by President Carter, and confirmed by the U. S. Senate, as a public member - representing large shippers - on the Board of Directors of the United States Railway Association, for a term expiring in July, 1980. This government corporation is made up of eight public members and the Secretaries of Treasury, Transportation, and Chairman of the Interstate Commerce Commission, or their deputies; and monitors, acts as banker, and defends the U. S. in litigation with respect to Conrail. The U.S.R.A. has an annual budget of \$25 million dollars; a staff of 250; outstanding debentures - loans to Conrail of over \$2 billion dollars; and an authorization to loan Conrail an additional \$1.2 billion.

He is serving his third one-year term as the elected Treasurer of the National Industrial Traffic League, the nation's largest shippers' organization, with over 1800 members and a budget exceeding \$500,000. Mr. Sender also serves on the League's Board of Directors, Executive Committee, Long-Range Planning Committee, and is a

former Chairman of the League's Legislative Committee. He is also a member of the transportation committees of the American Retail Federation and the National Retail Merchants Association.

Mr. Sender is completing a two-year term as Chairman of the Federal Bar Association Transportation Council, which consists of approximately seven hundred members in eight transportation-related committees. At the 1978 FBA Annual Convention, he was presented the Distinguished Service Award, and his remarks on "How to Organize Your Council" were printed in the December, 1978 Federal Bar News.

He has served on numerous advisory and trade committees including being former Chairman of the Facilitation Committee (on international trade) of the Transportation Association of America; General Counsel and member of the Executive Council of the Transportation Research Forum; Chairman of the D. C. Chapter and member of the Legislative Committee of the I.C.C. Practitioners' Association; Executive Committee of the Hazardous Materials Advisory Committee; I.C.C. Tariff Users Advisory Committee; the Transportation Council of the National Center of Productivity and Quality of Working Life; the Mailers Technical Advisory Committee of the U. S. Postal Service; the National Academy of Science Study Group on Legal Aspects of Intermodal Transportation, and Urban Commodity Flow Conference; Subcommittee on Maritime Law, Shipping Coordinating Committee, Department of State; the Arden House Assembly on Transportation; and the Committee on Surface Freight Transportation Regulation of the National Research Council.

Mr. Sender has appeared as a witness and prepared testimony for hearings before various Congressional Committees on behalf of Sears, the National Industrial Traffic League, and the American Retail Federation. He has also represented Sears as counsel before various regulatory agencies and departments.

Before joining Sears, he served for five-and-a-half years as staff counsel to the Senate Commerce Committee. He was appointed by Senator Warren G. Magnuson, Chairman, in November, 1963; and he specialized in transportation legislative matters, such as the High-Speed Ground Transportation Act of 1965; the Freight Car Shortage Act; the Anti-Illegal Carriage Act of 1966; and the proposed Trade Simplification Act. From March to October, 1966, he assisted Senator Henry M. Jackson and the Senate Governmental Affairs Committee during its consideration of the legislation establishing the Department of Transportation. He was invited by President Johnson to attend the White House signing ceremony and presented one of the pens used by the President in signing the law.

From 1961-1963, he was an attorney in the Office of the General Counsel, Interstate Commerce Commission, Washington, D. C.. He represented the I.C.C. in various appellate court proceedings in defense of Commission orders and decisions.

Prior to coming to Washington, D. C., he served as an Assistant Attorney General of the State of Washington, in Olympia. In December, 1957, he was designated as Counsel to the Washington State Toll Bridge Authority and the Washington Utilities and Transportation Commission. His duties consisted of representing those agencies in state and federal regulatory and court proceedings; and advising them on legal and legislative matters. He joined the Attorney General's office in September, 1956, in the Seattle trial office, upon admission to the Washington State Bar.



Born in Seattle, Washington on November 11, 1932, he attended public schools there; and then entered Harvard College where he graduated with an AB in political science, magna cum laude, in 1953. He graduated from Harvard Law School in 1956, with an LLB (now J.D.), cum laude. He is admitted to the bar of the U.S. Supreme Court; the Washington, D. C. bar; and is a member of the American Bar Association.

Mr. Sender has taught as an Adjunct Professor of transportation regulation at Georgetown University Law Center. He is a member of the Washington State Society, and the Harvard Club of Washington, D. C..

He resides in Washington, D. C. with his wife, Michelle, and son, Jason.

January 31, 1979



December 5, 1980

Mr. John Snow  
Vice President  
Government Affairs  
Chessie System

This is a more extensive resume.



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Stanton P. Sender  
Transportation Council  
Governmental Affairs  
Sears, Roebuck and Co.  
Washington, D. C.

R. Lawrence McCaffrey, Jr.

Professional Experience:

March 1977 to date: Partner in the firm of Witkowski, Weiner, McCaffrey and Brodsky.

November 1975 to March 1977: Chief Counsel, Federal Railroad Administration of the U.S. Department of Transportation.

January 1974 to November 1975: Special Assistant to the General Counsel of the U.S. Department of Transportation (appointed Acting Deputy General Counsel for three months).

September 1971 to January 1974: Staff attorney, Public Housing Branch of the U.S. Department of Housing and Urban Development's Office of General Counsel.

June 1969 to September 1971: Associate, Chapman and Cutler, Chicago, Illinois.

Education:

Selected post-graduate courses in economics and finance (1972-1973).

J.D., George Washington University, 1969.

B.A., Colgate University, 1966.

Admitted to Practice:

District of Columbia, 1972

Illinois, 1969

Professional Associations:

Federal Bar Association, Deputy Chairman for Committee Coordination of the Council on Transportation Law (1978-1979), Railway Law Committee Chairman (1976-1978).

District of Columbia Bar Association.





DOUGLAS R. CANNON  
505 West Maude Avenue  
Arlington Heights, Illinois 60004

Office: (312) 856-6317

Home: (312) 253-3497

Personal

Birthdate: January 8, 1944

Married, two children

U. S. Air Force Reserve Captain

Recent Political Activities

1979-80

Primary and General Election--General Counsel, Illinois Citizens for Reagan through the Primary. After the Convention became General Counsel for Reagan-Bush in the Midwest working with House Counsel Loren Smith. Served as Ballot Security Chairman for Reagan-Bush in Illinois for the November 4th Election. Duties included all manner of campaign legal advice, election law interpretation, fund-raising advice, and FEC compliance matters. Helped organize, and advised several fundraising events in Illinois prior to and after the nomination.

Work History

May 1976  
to  
Present

Coordinator, Government Affairs--Standard Oil Company (Indiana), with responsibility for the administration, direction, expansion, and policy formulation of Amoco PAC, the corporate political action committee of Standard Oil Company (Indiana), the largest corporate PAC in 1979-80. The PAC fund is over \$300,000.

Duties include supervising preparation of all disclosure and compliance functions of the PAC network, contribution distribution and budget preparation among over fifty state PAC officers. Prepared the legal outline of and organized the Amoco state PAC affiliate network. Organized the candidate evaluation system.



Advised corporate vice presidents and above on the political environment at the local, state, and federal level.

Recognized authority on federal campaign fundraising techniques, frequent guest speaker on this subject.

1975-76

As an anti-trust/litigation-compliance program attorney for Standard Oil, conducted pre-trial preparation, grand jury document production, witness preparation, motion filings, and suit settlement negotiations. Trial and hearing attorney for clean air cases and general contract litigation cases. Litigated cases in Michigan, New Jersey, Colorado, Illinois, and Missouri.

1970-74

Attorney with U. S. Air Force

Sept. 1972-  
Sept. 1974

Chief Prosecuting Attorney for Southeast Asia for the Air Force, as well as Foreign Claims Commissioner and Chief of Civil Law at Clark Air Force Base, Rep. Philippines criminal actions in Viet Nam, Thailand, Taiwan, Philippines, and Guam.

Tried highly sensitive criminal cases, with coordination of U. S. Embassy in Manila.

As Air Force Foreign Claims Commissioner, negotiated and settled claims with foreign nationals. Was legal advisor to 13th Air Force Commander (Major General rank).

Jan. 1970-  
Sept. 1972

Little Rock Air Force Base, Arkansas. Assistant and later Chief Advocate until transfer to the Philippines. As such had direct management control of base legal office of six attorneys. Dealt with all manner of legal issues--litigation (both state and federal), administrative actions, regulation compliance, and major civil investigations. Legal advisor to wing-level commanders and to Air Division Commander (Brigadier General).

Education

1969

Juris Doctor, Loyola University School of Law

1966

Bachelor of Arts, The Citadel Military College of South Carolina, Charleston, South Carolina

ADDENDUM

Political Activities

1978-Present	Member American Legislative Exchange Council
1978-Present	Member, Policy and Legislation Committee, International Business Council of Chicago
1976-Present	Member, Mid-West Task Force, U. S. Chamber of Commerce
1978-Present	General Counsel, Wheeling Township Republican Organization
1975-78	Policy Board Member, Illinois Conservative Union
1975-77	General Counsel, Cook County Young Republicans
1975-76	General Counsel, Illinois Citizens for Ronald Reagan



JUDITH RICHARDS HOPE

PRINCIPAL AREAS OF PRACTICE

Federal and State Court Litigation;  
Transportation Regulation and  
Legislation; Aviation Law

EXPERIENCE

May 1, 1977 to present

Partner, WALD, HARKRADER & ROSS,  
Lawyers  
1300 Nineteenth Street, N.W.  
Washington, D.C. 20036  
(202) 828-1200

Representative Cases

Counsel for Federal Court challenge of  
Steel Trigger Price Program, Davis  
Walker Corporation, et al., v. W.  
Michael Blumenthal, et al., Civil Action  
No. 78-1467 (D.D.C. 1978), and Reliever  
Airport Restrictions, Santa Monica Airport  
Ass'n v. City of Santa Monica, 481 F.  
Supp. 927 (C.D. Cal. 1979) and National  
Business Aircraft Association, Inc. et  
al., v. City of Santa Monica, Civil Action  
No. CV 79-04139-IH (C.D. Cal. 1980)

October 1975 to January 1977

Associate Director, Domestic Council,  
The White House, Washington, D.C.

Responsibilities: Transportation Policy,  
Planning and Legislation: (Coordination  
of Railroad Reorganization and Deregulation;  
International Aviation Policy;  
Aviation Deregulation; and Urban Mass  
Transit Planning.)

1972 - 1975

Coleman & O'Connell  
Los Angeles, California

Specialization: Federal and State Court  
litigation

1969 - 1971

Greenberg, Bernhard, Weiss & Karma,  
Los Angeles, California

Specialization: Federal and State Court  
litigation



1968 Deputy Director, California Rural  
Development Corporation  
Los Angeles, California  
(An OEO funded program established  
to provide self-help housing for the  
rural poor.)

1964 - 1967 Williams & Connolly  
Washington, D.C.

Specialization: Criminal trial and  
appellate advocacy

BOARD MEMBERSHIPS

1978 to present Director, The BUDD Company  
Troy, Michican  
(Multi-National Corporation, Manufac-  
turer of automotive parts, trucks and  
railcars)

1980 Director, Woodward & Lothrop  
Washington, D.C.  
(Retail stores in the Washington-  
Baltimore area)

1978 to present Director, National Women's Campaign Fund  
Washington, D.C.

1977 to present Director, Girls Clubs of America, Inc.  
(National Organization)  
New York, N.Y.

1979 to present Director, Washington Performing Arts  
Society  
Washington, D.C.

PROFESSIONAL ACTIVITIES AND AWARDS

1979 to present Member, ABA Standing Committee on  
Aeronautical Law

1978 - 1979 Chair: Railway Law Section, Federal  
Bar Association

1978 to present Adjunct Professor of Law, Georgetown  
University Law Center, in Transportation  
Regulation

1977 - 1978	Presidential Appointee, National Highway Safety Advisory Committee
1977	Recipient, Secretary's Award, U.S. Department of Transportation and Administrator's Award of Merit, Urban Mass Transportation Administration
1974 - 1975	Adjunct Professor of Constitutional Law, Pepperdine University Malibu, California
1972 to present	National Development Committee Wellesley College
1970	Guest Advocate on "The Advocates" - Peabody Award Winning public television series

#### EDUCATION

Harvard Law School, LL.B 1964

Wellesley College, A.B. 1961  
(Durant Scholar)

#### PROFESSIONAL MEMBERSHIPS

District of Columbia Bar Association  
California Bar Association  
Women's Bar Association  
Federal Bar Association  
American Bar Association  
Executive Women in Government

#### PERSONAL

Born: Cincinnati, Ohio (November, 1940)  
Married: Anthony J. Hope (December, 1967)  
Children: Zachary, 11; Miranda, 9





P.O. Box C-32222  
Richmond, Virginia 23261  
(804) 355-2899

Mr. Pendleton James  
Office of the President-Elect  
1726 M Street, N. W.  
Washington, D.C. 20270

Dear Mr. James:

I am writing for the purpose of bringing to your attention a splendid candidate for the position of Federal Railroad Administrator, Judith Richards Hope. Her resume is attached.

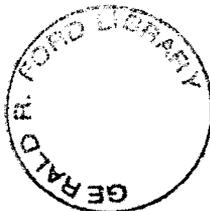
The Federal Railroad Administration has been a continuing disappointment. It has never lived up to its potential in providing creative leadership in addressing the railroad industry's problems and developing coherent approaches to them. As one of the major elements of the Department of Transportation with broad-ranging responsibilities, it is extremely important to fill this position with a person of the highest caliber -- someone who is familiar with the industry's problems and possessing the broad-gage capacity to deal with them effectively. In my view, Judith Hope would fill the bill extremely well. During the Ford Administration she served on the Domestic Council and her primary responsibility was transportation. In this capacity she played a major role in the landmark rail legislation, the so-called 4-R Act, which dealt with the Conrail problem, Northeast Rail service, and reform of the regulatory environment. In her White House capacity, Mrs. Hope showed firmness of purpose, devotion to duty, high industry, and keen intelligence. Since leaving the White House, Judy has remained active in transportation affairs. Among other things, she has been teaching the Transportation Regulation Course at the Georgetown University Law Center and has served on the Board of the Budd Company, a major manufacturer of rail equipment.

I commend her to you highly as someone who would provide distinguished service to the Reagan Administration.

Sincerely,

A handwritten signature in dark ink, appearing to read 'John W. Snow'.

John W. Snow  
Senior Vice President



CHRISTINE J. ROCHFORD

2700 Central Avenue  
Alexandria, Virginia 22302  
Home: (703)683-5138  
Office: (202)293-6410

#### SUMMARY OF BACKGROUND

Broad legislative experience principally in the area of transportation and secondly with environment, tax, and antitrust issues. Activity centered around role as liaison with: local, state and federal governments; government affairs community in Washington; and parent company.

#### RELATED EXPERIENCE

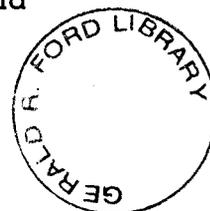
ASSISTANT VICE PRESIDENT, Office of Government Affairs,  
I. C. Industries (\$4 Billion Holding Co.) 3/76 to present

As Congressional representative, actively lobbied and monitored all legislative activity pertaining to the interests of the conglomerate and its subsidiaries (primarily the Illinois Central Gulf Railroad). Associations with the Administration were primarily on behalf of the railroad and involved the Department of Transportation, Interstate Commerce Commission and the White House. From 4/76 - 6/77, directed the office by my self. Represented the entire corporation through active participation with trade associations. Expanded the public relations role of the office in the development of a program designed to increase the identity and position of the conglomerate in Washington through congressional visits to plants, etc. and legislative workshops for management. Organized five political action committees, developing structure and promotional material. Attended numerous meetings nationwide as corporation's representative.

LEGISLATIVE ASSISTANT, U.S. House of Representatives,  
Office of Congressman James F. Hastings, R-NY, 8/73 - 3/76

As legislative assistant, supported the Congressman in all his committee assignments: House Budget Committee, House Commerce Committee's Subcommittee on Health and Environment, and Surface Transportation. Drafted legislation and wrote all appropriate speeches and testimony. Answered all constituent mail relating to these issues. For eight months, worked as caseworker handling constituent problems with federal government, especially Social Security and Veterans Administrations, E.P.A., H.U.D. and the Department of Labor.

Summer employment during college vacations involved clerical jobs in New York City with LOOK Magazine, Pfizer, Inc. and American Metal Climax, Inc.



## EDUCATION

George Washington University, Washington, D.C., Masters In Public Affairs, November, 1979.

Attended Wharton School on Finance for Nonfinancial Executives, May 1977.

Wheaton College, Norton, Mass.; B.A. cum Laude, June, 1973.

Political Science Major

1972, Sweet Briar Junior Year Abroad Program, Paris - University of Paris and Institute of Political Science.

1971, Twelve College Exchange Program, Wesleyan University, Middletown, Conn.

Tenafly High School, Tenafly, New Jersey, June 1969.

President, Girls Athletic Club, Editorial Staff of Tenakin, Chairman, Assembly and Rally Committees

## COMMUNITY AND PROFESSIONAL ACTIVITY

Vice President, 800 Member Women's Transportation Seminar  
September 1980 to present

Chapter Coordinator, Women's Transportation Seminar, 1979-80  
Organized and served for two and a half years as President  
of 370 member Women's Transportation Seminar of Washington.

The association serves as a forum for professionals working  
in the governmental and private sectors of transportation.

In 1979, initiated activity leading to organization's  
nationwide federation.

Mademoiselle Magazine's Career Network Board, 1979 to present  
Actively participate in and serve on the Women's Campaign

Fund Board (Candidate Selection Subcommittee), 1979 to present

Outstanding Young Woman of America Nominee, 1979

Washington Women's Network member, 1978 to present

Citizen At Large, Northridge Citizens' Association, 1978-80  
Alexandria, Virginia

Trustee, Federal City Council, Washington, D.C., 1976-79

## AREAS OF INTEREST

Enjoy traveling, french, skiing and decorating.

## REFERENCES

Employment and personal references furnished upon request.

