

sent any equitable consideration which warrants the direct gratuity award proposed. Unfortunately the procedural reversal by the circuit court of appeals has left the parties in the unsatisfactory position which existed prior to the district court suit. The evidence in this case is complex and controversial. I believe, therefore, that in fairness to Mrs. McQuilkin she is entitled to a day in court for decision of her claim on its merits, and I would be willing to approve a jurisdictional enactment waiving the bar of any statute of limitations.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, August 31, 1954.

S. H. PRATHER ET AL., H. R. 9357

H. R. 9357. I have withheld my approval from the bill (H. R. 9357) for the relief of S. H. Prather, Mrs. Florence Prather Penman, S. H. Prather, Jr.

The bill proposed to pay the sums of \$5,000 to S. H. Prather, \$2,000 to Mrs. Florence Prather Penman, and \$1,000 to S. H. Prather, Jr., for personal injuries and property damages sustained at Quitman, Ga., as the result of a collision of their family automobile with a car driven by one Howard Hart, an alleged bootlegger. The committee report on this bill (H. Rept. No. 2208) indicates that the collision occurred on August 6, 1935, when Hart was being pursued by an investigator of the Alcohol Tax Unit, Bureau of Internal Revenue, Treasury Department, and by a State officer. The report of the Treasury Department embodied in the House report states that the officers, while traveling at approximately 70 miles per hour, had pursued the car for a distance of about 2 miles, but had slowed down when Hart turned into a dirt side street of the town of Quitman, picked up speed to 75 miles an hour, and collided with the Prather car, which was proceeding at a lawful rate of 20 to 25 miles per hour. Hart's car contained approximately 43 gallons of illicit whisky at the time.

The officers in this instance were acting in the performance of their official duties in attempting to apprehend persons who were violating the law in their presence. The report of the special investigator of the Alcohol Tax Unit states that Mr. Prather conceded when interviewed that the officers were doing their duty and were without blame, "but that he felt someone should compensate him for the damages suffered," since the violators who had caused the wreck had no financial responsibility.

The misfortune suffered by this family as a result of the automobile accident, for which they were in no manner responsible, is most lamentable. While it is true the accident might not have happened if the law-enforcement officers had not been pursuing the bootleggers, there is nothing in the file to indicate the law-enforcement officers were acting negligently or were doing anything other than their duty. Unfortunately, the culprits legally and morally responsible for the injuries cannot be made to respond in damages. Enactment of the bill would constitute a gratuity and would create a dangerous precedent which might set in motion a chain of endless requests for the payment of dam-

ages by the Government arising out of accidents in which law-enforcement officers may have been remotely involved.

Accordingly, I am constrained to withhold my approval from the bill.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, August 31, 1954.

METROPOLITAN WASHINGTON AREA TRANSPORTATION, H. R. 2236

H. R. 2236. I have withheld my approval from H. R. 2236, entitled "An act to provide for a Commission to regulate the public transportation of passengers by motor vehicle and street railroad within the metropolitan area of Washington, D. C., and for the establishment of a Metropolitan Washington Commission."

Title I of this enactment would establish a Washington Metropolitan Area Transit Commission to regulate public transportation by bus, streetcar, and taxicab in the District of Columbia and the counties of Montgomery and Prince Georges in the State of Maryland. The bill would grant to the proposed new Commission, in strengthened form, most of the powers now separately exercised in this regard by the Interstate Commerce Commission and the Public Utilities Commissions of the State of Maryland and the District of Columbia.

Title II of the bill would create a temporary Metropolitan Washington Commission to study, investigate, and make recommendations with regard to certain aspects of the Washington metropolitan area transportation problem.

The regulation of public transportation in the greater Washington area must contend with the growth of an integral economic community spreading far beyond the boundaries of the District of Columbia to include Montgomery and Prince Georges Counties in Maryland and Arlington and Fairfax Counties and the cities of Alexandria and Falls Church in Virginia. Within this community, the daily travel of persons back and forth across State lines has reached dimensions with which present facilities cannot cope. Under these circumstances, it is understandable that the present division of responsibility for regulation among four different agencies no longer meets the needs of the area. This division of responsibility has contributed, as it could not help but do, to the development of an inadequate system of public transportation. The situation plainly requires unification of regulatory authorities over public transportation throughout the metropolitan area.

The present enactment, however, falls substantially short of this objective. Its failure to include the Virginia segment of the metropolitan area within the jurisdiction of the proposed Commission is a fundamental deficiency. Through this omission of an integral and important part of the greater economic community, a system of fragmented and divided regulatory authority is continued. What is worse, the Federal Government is placed in the position of treating the carriers and persons within one segment of the area on a different and discriminatory basis from those in the remainder of the area. In the absence of any substantial grounds for this differentia-

tion, the measure is unacceptable even as a temporary expedient.

This bill is also unsatisfactory because it extends, without sufficient safeguards, the authority of the Federal Government to matters that have, hitherto, been considered as primarily the concern of the District of Columbia and of the States. The problem is difficult because the urgency of need and the extent of Federal interest in the Nation's Capital both argue for unification of regulatory authorities under Federal auspices, at least for the time being. However, in any such arrangement means must be found to give adequate recognition to the rights and responsibilities of the District and of the States involved. Specifically, provision should be made to enable the States of Maryland and Virginia and the District of Columbia eventually to make arrangements for the exercise of this function under joint responsibility. In this regard, it would appear desirable to explore the feasibility of utilizing an interstate compact or other cooperative arrangements in which the Federal Government would participate and the Federal interest would be fully protected. In addition, every effort should be made to minimize the impact of any new Commission upon the internal affairs of the District of Columbia.

With respect to title II of the enactment, I agree that further study of metropolitan transportation problems is desirable. The primary mission assigned to the Commission is related directly to highway, bridge, and traffic problems. In emphasizing this role rather than consideration of mass transit problems, the bill unnecessarily complicates relationships with the National Capital Planning Commission and the National Capital Regional Planning Council. I believe that further consideration by the Congress will result in a more orderly allocation of responsibilities between the Commission and these existing planning agencies. Title II also establishes undesirable limitations governing the appointment and qualification of members of the Commission.

I hope that the 84th Congress will promptly enact a measure to unify regulatory authorities over public transportation and provide for a further transit study with adequate coverage and recognition of State and District responsibilities. Since title I of this bill would not have become fully effective until July 1, 1955, there need be no significant loss of time in obtaining its objectives. Similarly, time did not permit the Congress to provide funds for title II before adjournment. Therefore, since an appropriation cannot be made until after the Congress convenes in January, little time, if any, need be lost in the studies which a revised title II would encompass.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, September 3, 1954.

MRS. ROSALINE SPAGNOLA, H. R. 2881

H. R. 2881. I have withheld my approval from H. R. 2881, a bill for the relief of Mrs. Rosaline Spagnola.

This enrolled enactment would pay to Mrs. Rosaline Spagnola the sum of \$675.50 as additional compensation on account of the accidental death of her