

NATION'S CITIES

The Magazine of the
National League of Cities
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A Special Report How Cities Combat Noise

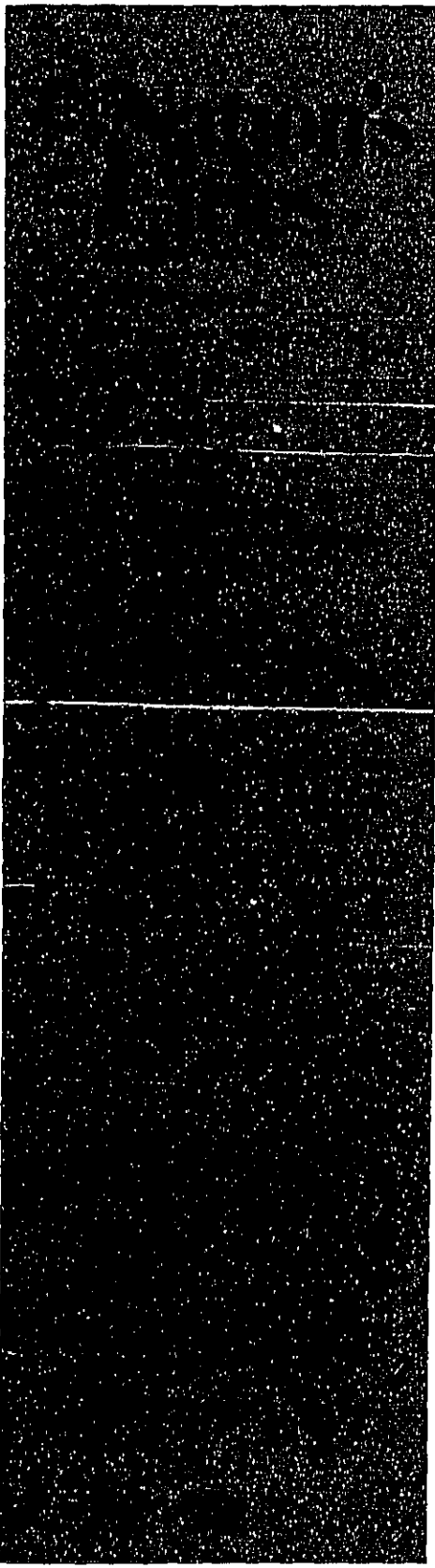
Also in this issue:

TV's Role in Local Government

NLC's 1978 Congressional-City Conference

Carter's Urban Policy

Statistics Can Hurt Cities



Lobbying in the Public Interest

A very important principle is being debated before the Congress as a part of the proposed lobbying disclosure reform legislation. The debate's outcome will determine whether the National League of Cities and its companion organizations that represent local officials have to register as lobbyists.

In Washington's post-Watergate political environment, a variety of "reform" proposals have been made. These disclosure proposals are among them. In early committee consideration some legislators went so far as to suggest that city officials should be required to register as lobbyists before they appear before the Congress in any capacity, if they write letters to their Congressmen or speak to them by telephone. Other proposals would have required extensive documentation of lobbying such as recording costs of phone calls. This approach has been abandoned and in the current version state and local elected officials are exempt.

Still, the current versions suggest that your representatives in Washington, the National League of Cities, the U.S. Conference of Mayors, the National Governors' Association, the National Association of Counties, all should be required to register as lobbyists. (Interestingly, Washington offices of state government or city and county offices of local government would not be required to register even though an individual might be acting on behalf of more than one unit of government.) The crucial question is whether our National League of Cities is an instrumentality—an arm—of its 15,000 cities who are themselves exempt, or just another public interest group.

The Federal Regulation of Lobbying Act of 1946 requires "any person who shall engage himself for pay . . . for the purpose of attempting to influence the passage or defeat of any legislation by the Congress . . ." to register as a lobbyist and file regular reports of his or her expenditures. The act specifically excludes ". . . any public official acting in his official capacity." This exemption was generally assumed to cover employees of organizations of exempted officials so NLC staff never registered. Then in autumn, 1973, former Attorney General William Saxbe advised the National League of Cities and U.S. Conference of Mayors to register their employees engaged in congressional relations and to supply records of their lobbying activities for the previous years or face criminal penalties of up to a \$5,000 fine and a year in

jail. Faced with criminal prosecution, the National League of Cities, U.S. Conference of Mayors, and National Association of Counties retained counsel and spent almost \$100,000 in legal fees in federal court to have our employees declared exempt from the reach of the lobbying statute. The three organizations filed suit for declaratory judgment and on December 18, 1974, Judge Gerhard Gesell of the U.S. District Court in the District of Columbia found for us. His order said "that each such officer and employee is exempt from registration under the Federal Regulation of Lobbying Act so long as such person engages in lobbying undertaken solely on the authorization of a public official acting in his official capacity and such person receives his sole compensation and expenses for lobbying activity directly or indirectly from public funds contributed by cities, counties, or municipalities, as the case may be." In his decision, Judge Gesell described the situation faced by state and local governments today:

"The involvement of cities, counties, and municipalities in the day-to-day work of the Congress is of increasing and continuing importance. The court must recognize that the voice of the cities, counties, and municipalities in federal legislation will not adequately be heard unless through cooperative mechanisms, such as plaintiff organizations, they pool their limited finances for the purpose of bringing to the attention of Congress their proper official concerns on matters of public policy."

He went on to say, "Here there can be no doubt that all officers and employees of the plaintiff organizations are engaged in lobbying solely for what may properly be stated to be in 'the public weal' as conceived by those in government they represent who are themselves officials responsible solely to the public and acting in their official capacities." The pending legislation would reverse this court decision.

I think the most critical and interesting feature of the proposed legislation is that Congress exempts from coverage and registration "members and employees of Congress or associations of members of Congress and federal employees." *The Congressional Quarterly* in a recent article pointed out that there are nearly 650 federally-paid lobbyists who are paid \$15 million a year to do the representational work of federal agencies and

Continued on page 53

CATV: Two-Way Access to City Hall

By Clint Page

Since the later 1940s, community antenna television systems (CATV or "cable" TV) have dealt primarily in entertainment, providing conventional programming or movies otherwise unavailable locally. But another dimension has been added. It's called interactive cable television, which simply means that viewers are participants too. It may mean a lot more to cities in the long run than just a better television picture or a better financial picture. It may mean a whole new way for citizens to participate in local government.

THE READING EXPERIMENT

The local Social Security administrator is fielding questions from a group of retired people. He's in an office in downtown Reading, Penn., and the people he's talking with are at three senior citizen's centers in different parts of town. Not only can they talk to each other, but thanks to a two-way video hook-up that links the senior citizen's centers with a remote television crew, they also can all see each other as well. The exchanges are friendly and informal; some are on a first name basis.

"I'm 62," one woman says, "and my husband died last year at the age of 66. Should I collect my widow's benefits now, or should I wait until I'm 65 and collect my own benefits?"

The administrator answers her question, and then there's another one from someone else, and another and another.

Known around cable television circles as "the Reading experiment," this two-way television system linking local government and citizens started as one of three experiments funded by the National Science Foundation. It was begun to study the costs and benefits of using two-way cable television to deliver public services to elderly residents. Berks TV Cable, a local cable television company, provided three to five hours of time each day for community access, three hours in the



Tom Moody, Ron Giles, and Susan Goldwater on QUOTE.

morning and one or two at night. The Alternate Media Center at New York University provided programming and monitoring assistance, and local senior citizens provided the audience and the production staff.

The Audience Is The Staff

The senior citizens, with some technical assistance, produced their own programming. They sent remote crews to city hall to cover city council meetings; they created question-and-answer shows

with the mayor, city council members, and other local officials; they produced shows on social security, health, and other issues important to them. There is a documentary in the works—a history of the local labor movement, and there are "commercials" for such social services as food stamps.

The original experiment ended in February, 1977 and the two-way system has grown to something more than the experiment called for. It has become a way for the city government and its citizens, or at least the 36,500 subscribers to Berks TV Cable, to communicate on a variety of issues. "The feedback shows that elected officials and even non-elected people have been using the system increasingly in the last six months," says Jerry Richter, executive director of Berks Community TV, the non-profit company that has run the two-way system since the end of the experiment. "The local officials' appearances once every five weeks have made them more conscious and more aware that periodically they have to go out and face the people."

For Official Use

There has been "heavy use" of the system by city officials as a forum for public hearings, Richter says. During the winter, the city held hearings on the use of community development funds—the sort of hearings that when held at night at

city hall would draw as few as four or five citizens. They moved equipment into city hall and set up centers at the geographic extremes of the city. Then, with the mayor at city hall and other officials at the other centers, the city held its hearings on the cable, says Richter. People at the neighborhood centers could be seen by the city officials as they took part in the hearings; viewers at home could telephone their questions and comments in. The televised hearings, Richter says, generated forty-eight specific calls from viewers at home or from people at the centers with questions or comments.

"You can't draw people out to meetings like you did before," says Reading Mayor Joseph P. Kuzminski, who views the televised hearings as a "tremendous success." The city now holds televised hearings as a matter of course. "We've become a kind of resource that agencies think of when they have problems," says Richter.

Paying Is Important

While the system was still an experiment it was supported by a National Science Foundation grant. Having passed the test, the system has moved from being a federally-subsidized project to a community resource that has its own place in the city budget.

"In order to fund the system," Richter says, "the board of directors of Berks Community TV decided to place a value on the use of the system according to the amount of time used. That value was set at \$300 for a half hour of live programming. We asked the city council to pay for its participation at that rate, which would have worked out to \$15,000 a year. We didn't get that, but the city council does pay \$5,000 a year for its use of the system. And the council told other city agencies with their own budgets that it would be good if they would pay for their use of the system on the same basis. And they do."

Richter says that Berks Community TV views its payments from the city as payment for services, not as grants. "That way," he says, "there are no strings attached to the money."

Judging from the tapes of programming on the system, those who use the system enjoy being able to talk to city hall. "The mayor and council members originally thought of it as a way to talk to people," says Red Burns, executive director of the Alternate Media Center, "but they found out that it was a way to hear what people have to say." There aren't any speeches, she says, simply exchanges; no rancor, no confrontations, just "people concerned with parks, garbage, potholes, and other local issues."

The senior citizens for whom the system was originally created have taken to it, Burns says; they use it as they do the telephone to keep in touch with the city and its agencies and with each other. There is a certain amount of waving at friends in another part of town, a certain amount of personal chatting on the two-way cable. "Participation," Red Burns says, "has been embedded in the total system, including singalongs and socializing."

That's important to the elderly people who use the system. What's important in the long run to all of Reading's cable subscribers is that the two-way cable has made the Reading city government accessible in a way that wasn't possible before. "Interactive television is a greater equalizer," Red Burns says. "It creates a neutral territory—neither the

mayor's office nor the viewer's home—in which neither party has an edge. And when people learn that they can openly, honorably ask questions, that opens up a series of questions and allows a response."

DIAL L FOR LOCAL

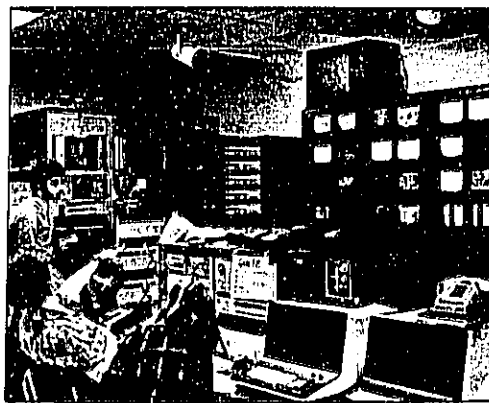
It is Wednesday night, and the discussion on Channel L's live "Manhattan at Large" show has been about wife beating. Two women guests have recounted their experiences with abusive husbands, and the telephone calls that have come in from viewers have been sometimes informative, sometimes poignant, sometimes heart-rending. Then the telephone rings, and the voice of a little girl, perhaps ten-years-old, says: "I don't know what to do—Mommy and Daddy are fighting right now."

"That was an electrifying moment," says Chuck Sherwood, one of two consultants who have helped develop the programming on Channel L, the local government channel of Manhattan Cable Company and TelePrompter in New York City. It was audience participation at perhaps its most dramatic, and the people on the program were able to give the little girl appropriate hotline numbers to call.

Channel L, two-years-old this month, operates seven days a week from 7:30 p.m. to 11:00 p.m. In addition to the live Wednesday night show, it provides live and taped information programs on local issues, and a community bulletin board listing meetings and special events—a "visual Reuters," says John Sandiford, the other programming consultant.

L Takes Manhattan

While the Reading system started out with an audience defined by age, Channel L has been aimed at an audience defined by geography. When the New York City charter was



The nerve center for Warner Cable Television's QUBE system in Columbus, Ohio is the master control room. It contains switching and monitoring equipment for all thirty channels (above) and computers (top right), including a polling computer, which provides instant counts of number of viewers and their electronic responses to programming and questions, and a studio computer which handles two-way communications between studio and viewers. Home console (bottom right) lets viewer select channel and program with button at left and bottom of console and respond to questions or take part in polls by pushing black buttons at right of console.

revised a couple of years ago, community boards were created to review basic government actions; fifty-nine of these local government boards were created throughout the whole city, with twelve of them in Manhattan. "That revised city charter formed the basis of our understanding of what we would have to develop," says John Sandiford, Channel L's other programming consultant. The franchise provides for two-way communications and for sub-districting according to Manhattan's twelve community board areas, but Channel L has not gotten that far yet.

It has progressed, however, from its start two years ago with two city council members as "producers." Today all city council members and two state assembly members are on the cable regularly. City agencies and departments produce their own information programs; the planning commission, for example, has its own show and has also used the channel for discussion of water quality planning, community development block grants, highways and mass transit. The twelve community boards themselves produce programs aimed at specific local issues and interests, and so do civic organizations, including the League of Women Voters, the Natural Resources Defense Council and others, who request time on the channel through the city's Office of Telecommunications Policy. It is these "producers" who determine the content of program, not the city's telecommunications office. Sherwood and Sandiford provide technical assistance to help producers say what they want to say; they don't tell them what to say.

Manhattan Cable, the cable television company, provides Channel L with eight hours of production time in its studio each week, plus office space. In those eight hours, Channel L produces a three-and-a-half-hour live program ("Manhattan at Large") and does the taping for its other programs. "The format is critical," Sandiford says. "It's not just a very local

UHF station. It's something quite exceptional."

The five Wednesday night program is deliberately informal. There are no more than five guests, all seated in a circle, an arrangement that Sandiford says allows a great deal of intimacy. There's no hype, no fancy packaging; it's not unusual to see a camera in the background. The focus is on local issues, and the level of discussion is kept such that anyone can call in with comments or questions. "Depending on the subject, we get ten to twenty calls per night," Sandiford says, "some from regular callers, some from new ones."

The taped community bulletin boards—the "visual Reuters"—are a bit more elaborate than the name implies. The electronically generated messages about meetings and other events are augmented by music, maps showing the community board area the messages are about and color pictures of community scenes and landmarks—contemporary and historical. Community board meetings themselves are taped and carried over the cable in one four-hour stretch once a month.

The relationship to the city is informal. Sherwood and Sandiford are consultants to the cable company, although in other cities they might work directly for the city. (New York City has its own television station, WNYC.) Manhattan Cable and TelePrompter operate under typical franchise agreements overseen by the city's Board of Franchise which is overseen by the Board of Estimate.

Dial J for Porn

Channel L is one of four access channels available in New York City. Channel C is the "beginner's" channel, providing access for individuals or groups who have never before used cable television; Channel D is for "intermediates" who wish to use the cable regularly. Channel J is a leased public access channel; time may be leased and the user of the time provides the programming and may even sell advertising. Channel J's programming has been known to include "The Bulgarian Hour" and other ethnic programming as well as pornography sponsored by local massage parlors.

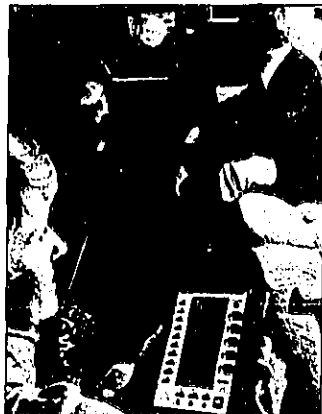
The local government programming on Channel L is regarded as experimental although Manhattan Cable is committed to the project through the end of this year. "We'll spend \$78,000 this year," Sherwood says, of which \$66,500 will go for production, and the rest for administration."

THE BIGGER PICTURE IS OUT OF FOCUS

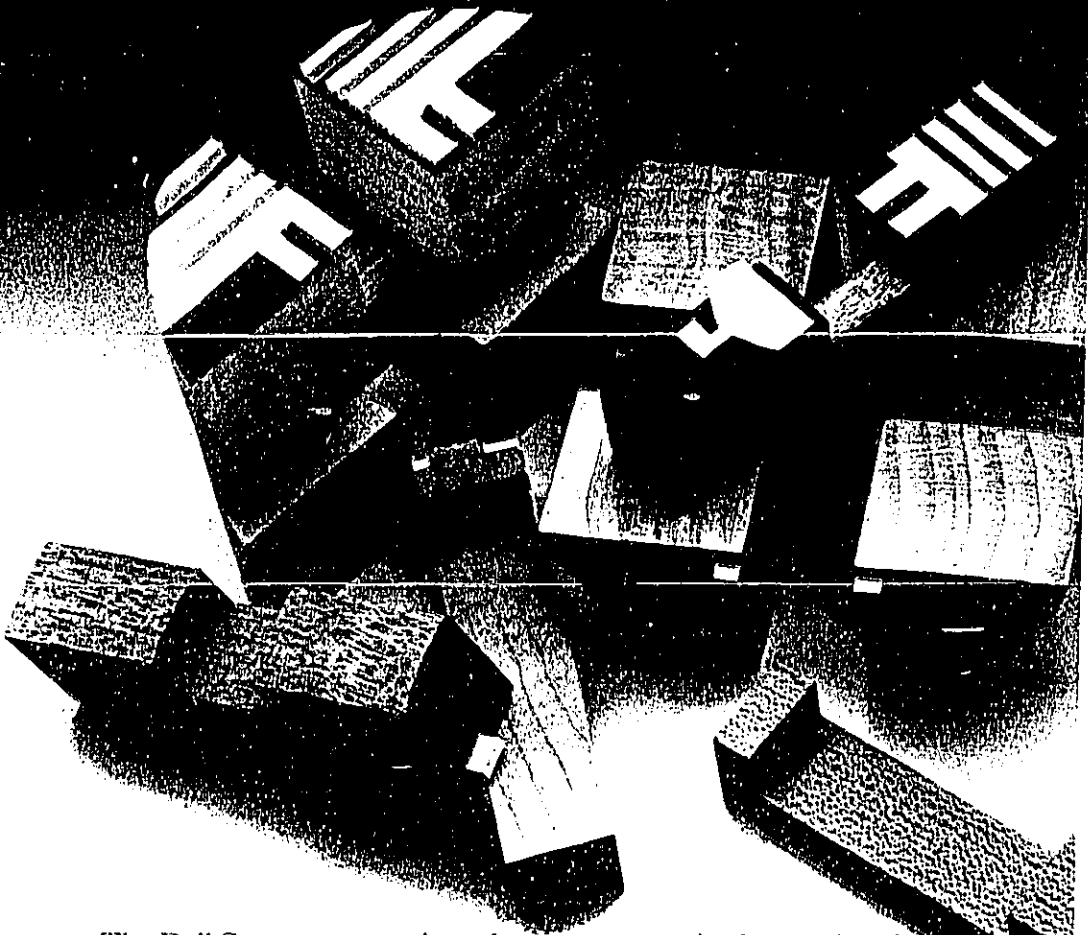
Local government channels like Channel L are a very small part of the cable television scene. In the U.S., some 3,700 cable television companies serve 11.9 million homes in 8,000 communities. Out of all those, it's possible to count on the fingers of two hands the number of local government channels in operation.

Local government channels and the other public access channels (like Channels C, D, and J in New York City) are the offspring of the Federal Communications Commission (FCC). In a 1976 ruling, FCC said that by June 1986, cable operators with 3,500 or more subscribers (there are 2,976 such systems) would have to be able to transmit over twenty channels and would have to provide four of those channels for the use of the public, institutions, local governments and people who wish to

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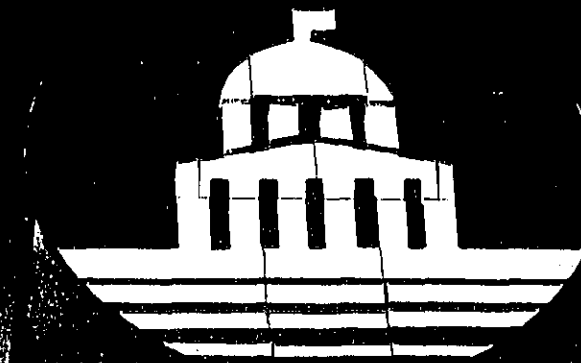
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buy time. In February of this year, however, the Eighth U.S. Circuit Court of Appeals decided that FCC had overstepped its authority with that ruling. The 1934 Communications Act gave FCC jurisdiction over areas ancillary to broadcasting. But that jurisdiction doesn't include such things as channel capacity or public access, the court said. One judge wrote that the act contains "no objectives so broad as to encompass whatever is necessary to get everybody on television. If that major foray be a legitimate goal, it must be established not by the commission or the courts, but by Congress."

Congress will have its shot at cable television this year. The 1934 Communications Act is up for revision and two congressional subcommittees have been giving it a good hard look. The House Subcommittee on Communications should submit its new bill to the House of Representatives June 1; it will surely reexamine cable television. On the Senate side, the act is being updated, but not completely rewritten; a new section covering cable television is expected to be added.

Congress's action on the new legislation may well resolve some uncertainties about cable television; so might FCC's appeal of the court decision. Merry Sue Smoller, cable television officer for Madison, Wis. where City 12, the local government channel, has been linking the city hall with the people for four years, feels that the current "regulatory vacuum" is bad news for cities that "don't give a damn" about access to cable television, good news for those that do. What she means is that without a federal requirement in force, the responsibility for insisting on public access channels would be in the hands of each city as it negotiates a cable franchise. Cities would have to make such access a specific requirement of each franchise and cities that aren't aware of that now might find it hard to accomplish retroactively.

CITIES CAN STILL ACT

But public access isn't necessarily in limbo, says Harold Horn, executive director of the Cable Television Information Center at the Urban Institute. "If the decision is upheld," he says, local governments "may find it offers a new opportunity to develop and encourage public access channels." Cities pursuing public access aggressively possibly could go beyond the old FCC rules.

With the new legislation due in Congress this summer, and with the general furor stirred up by the court decision and FCC regulations in general, cable television might be a matter of importance to cities this year. "As a policy arena for cities, it is vital," says Mitchell Moss of the New York University Graduate School of Public Administration. "The city grants the franchise, and it should have the decision over what's on the cable."

That cable television has not made tremendous use of the potential for public access is understandable—there's no real profit in it for cable companies. The use that has been made has been the result of efforts by people from outside the conventional television-entertainment-marketing world. The two consultants behind much of the programming on Manhattan's Channel L, for example, are not electronic wizards, video freaks, or professional broadcasters. Chuck Sherwood is an urban planner by training, and John Sandiford a community organizer. To them, and to many others like them, cable

television is a tool to be used in community building.

THE BIG-TIME IN COLUMBUS, OHIO

It has been snowing in Columbus, Ohio and through the studio window snow can still be seen lining the roadside. Inside at a table on the set, "Columbus Alive" host Ron Giles is talking to Mayor Tom Moody about snow removal problems. Giles then asks home viewers if they think the streets are being cleared well enough. "If you think they are, push button number one on your console. If you think they aren't being cleared well, push button number two." At home, subscribers of Warner Cable Television's QUBE pick up their consoles—black boxes the size of telephones—to register their opinions. A computer at the studio tallies the responses, and they are flashed on the screen within a minute or so of Giles' question: 58 percent of the viewers said yes, 42 percent said no.

After more conversation and more questions about viewers' impressions of snow removal problems, Mayor Moody explains that snow removal costs money and that to improve the city's snow removal process would call for higher taxes. Then he asks the big question: "How many viewers would pay more taxes for better snow removal?" Giles runs through the instructions—push button number one if you would pay more taxes for better snow removal, push button number two if you wouldn't. In a minute or so, the results flash on the screen: 74 percent of the watchers that evening pushed button number two—they aren't willing to pay higher taxes in order to get the streets cleared faster.

QUBE is the opposite end of almost any polarity one might construct about interactive cable television, local access channels, or maybe even cable television in general. It depends on sophisticated electronics, particularly for its response system. It is slickly produced and flashily packaged. It is the child of



Two-way cable television brings senior citizens and local officials together in Reading, Pennsylvania. Senior citizens also man the cameras.





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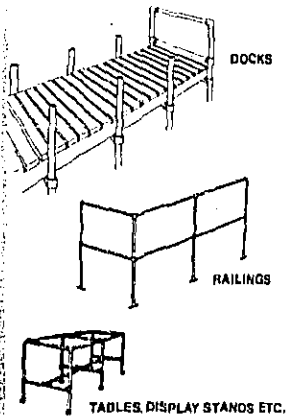
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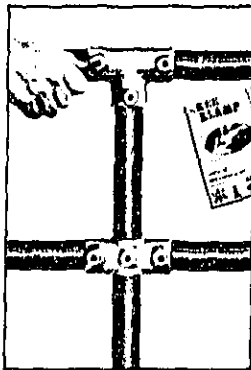
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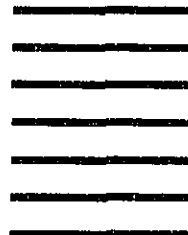
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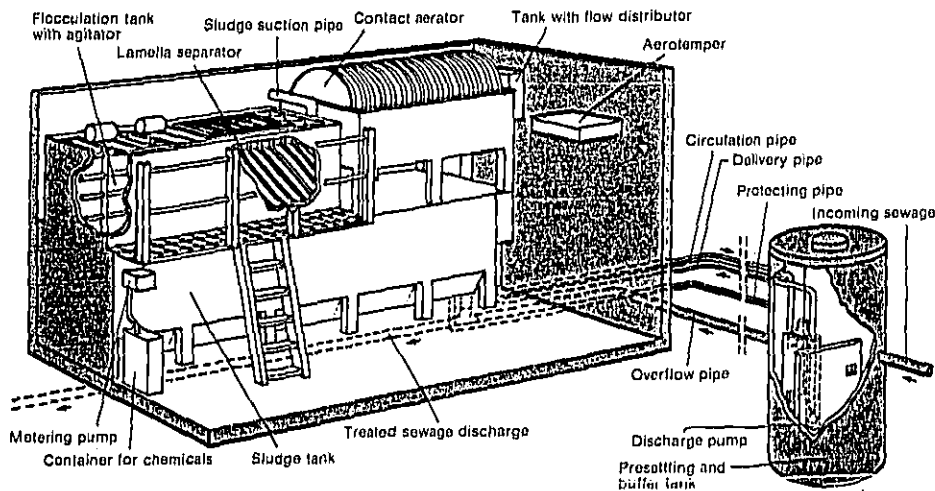
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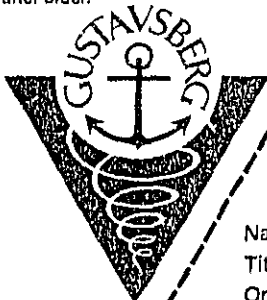
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marketing and entertainment people. It is a commercial enterprise intended to make a profit. It also provides what must be the most elaborate original programming on a cable system; in that regard it is much more like a conventional television station than a cable system. "What QUBE is trying to do," says Ron Castell, the Warner marketing vice president in Columbus, "is not offer more 'Hogan's Heroes' but offer alternatives—things that aren't on conventional television."

For \$10.95 a month a subscriber to QUBE gets: access to all local television channels, including the university channels; premium (pay) movies and other programs; a live channel that offers a series of locally-produced live programs for children, teen-agers, and adults; consumer information, news updates; a continuous channel of children's programming and other special programs. The live channel is set up to use the two-way capability of the system and says Michael Marcovsky, QUBE's general manager, it's "one big access channel."

Old Tricks for a New Dog

"We offer an abundance of access," he says, "and we can respond to what's important to people. When the snow started falling, we decided to do some special programming on the live channel. We wanted to cover the snow problem, we wanted to inform people about what was happening, and we wanted to be a companion to people who couldn't get out." That approach to programming—being the individual viewer's companion and contact with the local scene—is "a matter of teaching a new dog old tricks," Marcovsky says. "We have gone back to some basics in programming, trying to make entertainment informative and information entertaining. It's fun, but we can deal with serious issues."

A local highway hearing, for example, got thorough coverage via QUBE. A crew went to city hall and the hearings were carried live over one channel for subscribers who wanted to watch the real thing; on the "Columbus Alive" program, the remote crew periodically presented highlights and news updates. "We kept the live coverage going past the scheduled end of the program," Ron Castell says, "past 11:00 p.m. There were maybe sixty people watching then, but we kept with it."

Another Polling Dilemma

Warner and QUBE are certainly doing some things that most conventional television stations don't do and the two-way response system built into QUBE is unique in television—broadcast or cable. There are questions that can be raised about the validity of the responses: the audience is limited, the responses are only as good as the questions, and there is no way for the audience to qualify responses or ask its own questions. For example, Mayor Moody's question reached a maximum of 14,773 households—a very small slice of Columbus's 541,000 people. There is also the possibility that because of audience fickleness, QUBE's response system may turn out to be only a gimmick. With very little citizen-government interaction taking place on QUBE, much of the push button response so far involves second-guessing quarterbacks, playing games, or giving a boring performer an electronic hook.

It's obvious that QUBE is not doing the things that Channel L, for example, does. "Many public access channels are noble, but ineffective," Ron Castell says. "It's difficult to get

masses of people interested in things that are 'good for them.' Bringing government to the people and to neighborhoods is a noble idea, but what we've tried to do is to put these kinds of discussions in a more polished format."

The big question, of course, is: Have we seen the future, and is it QUBE? Columbus is one of the traditional test markets for new products in this country, and Warner feels confident enough of the experience there to be applying for franchises in Fort Wayne, Ind. and Pittsburgh. The company is also studying the feasibility of adding QUBE to a Warner-owned system in Akron.

The Columbus system has been a demonstration project or a marketing test, and as a result the 14,773 subscribers have been getting a bonus. Warner has been paying for the live programming and facilities that the viewers might otherwise have expected to pay for through subscription fees or premium television payments. But while Warner sees Columbus as a lab, it also sees the operation as a business; the money—more than \$10 million—that has gone into programming is seen as an investment in the system's future. "As we move into other cities, we won't have the same costs as we've had here," says Mike Macovsky. "We won't have the cost of our programming consultant, we won't have to spend so much developing new talent and new people."

In the meantime, QUBE's Columbus subscribers seem to be enjoying the variety the system offers and the chance to push a button and become part of the system. Professional reactions seem mixed, although most people who have been through the studios and watched QUBE in action seem to find it interesting. One, writing in *Columbus Monthly*, noted, however, that the audience was limited and that the system may be more significant nationally than locally. If that's the case, then its acceptance, or lack of it, in more cities will tell the tale.

There is nothing mysterious about cable television. Cable channels are transmitted on a cable, not broadcast through the air. It is conventional television's analogue. It uses the cable system through public rights of way (above ground or below). Cable television companies are franchised by local governments in much the same way as utility companies are franchised (although in most cases the city must pass special enabling legislation). The cable company pays a franchise fee (a percentage of gross receipts) to the local government; the cable company's receipts come from monthly subscription fees and fees for premium (pay) television programming. Typical one-time installation fees are \$15.00, and the average national monthly fee is \$6.25 (the range is from \$7.00 to \$10.00 for systems built since 1972 in large markets). Cable is a sizeable business. Total capital investment is about \$1 billion, and there are jobs for about 25,000 people in 1975. Cable television revenues work out to be more than \$900 million. The industry consists of 219 cable television systems serving 12.9 million subscribers in more than 8,000 communities. Some 226,000 miles of cable have been put in place at an average construction cost of \$6,000 per mile (bare ground buried cable can cost as much as \$30,000 a mile).

The Bottom Line

QUBE is certainly unique and it is a sharp contrast to the other two systems currently operating in Columbus. The city passed enabling legislation in 1969 after several years of discussing cable television, but the first system wasn't underway until two years later. Since then, Columbus has developed the third largest cable television system (counting all three operating companies) in the nation's top 100 markets.

The companies operate under franchise agreements that are typical of the cable industry. The business arrangements and legal authorities are those of the standard utility franchise: the city owns the public rights of way, and any private business wishing to string its power lines or television cables above ground or bury them below ground pays for the privilege of using the public right of way.

The original franchises negotiated in Columbus set the franchise fee for each company at 6 percent of the base gross receipts, excluding pay television receipts. Now, however, the FCC has ruled that pay television receipts may also be used as part of the rate base, so the city's 1978 cable income is expected to be greater than last year's \$240,000. The FCC has also imposed a limit on franchise fees of 5 percent. Ralph Squires, the city's cable television administrator, says, "If you want 3 percent, they ask no questions. But if you want the maximum, you have to justify it."

The cable companies in Columbus, like cable companies everywhere are largely purveyors of entertainment. But, says Squires, "as time moves on and the operators become more successful, they can add community services." That is the end to which Squires is working, certainly, and he has ambitions that would eventually call for a cable drop in every home. By the end of this year, he expects that 85 percent of the houses in

the county or 240,000 houses would be wired for cable.

To Each City A Network

Lurking in the back of Squires' mind—and in any number of proposals in his files—is a government telecommunications center that would provide the government services programming "commercial cable operators don't want to do because they can't make a profit at it." The center would link all the cable systems in the city to provide a local network for city government programming. Technology isn't the problem, he says, but money and "determining what services you start with and which ones you add next" are problems.

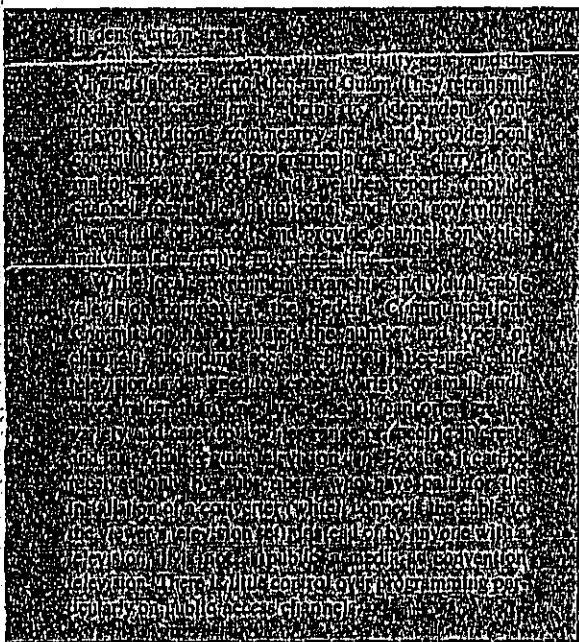
"Columbus has only recently been in a position to use a government channel on cable television," Columbus Mayor Tom Moody points out. There hasn't been the money before, and the uncertainties about FCC regulations and franchise fees that currently abound make him cautious about moving too far too fast. There are, however, a number of services that Moody feels could be valuable: weather, consumer information, emergency and disaster services, information about government activities, education. "Given careful thoughtful planning and execution that could all be put together," he says.

It would take a considerable commitment of time and money on the part of the city. "Anyway you look at it, you'd have to have a good product," Moody says. "If you don't, you won't attract and maintain interest in a government channel. That's tough on the city's resources and on its pay scale. The kind of person we would need would be the equal of at least a news director at a local station, and we'd need other people not far below that level. And then there are facilities."

Squires estimates of the cost of a city telecommunications center run as high as \$1 million for the initial investment, excluding real estate, and a minimum of \$300,000 a year to run it. He has a long shopping list of services the center might offer, running from a wide range of informational programming to digital communications, air pollution monitoring, records storage, crime and accident surveillance, and perhaps even individual burglar and fire alarms for every house.

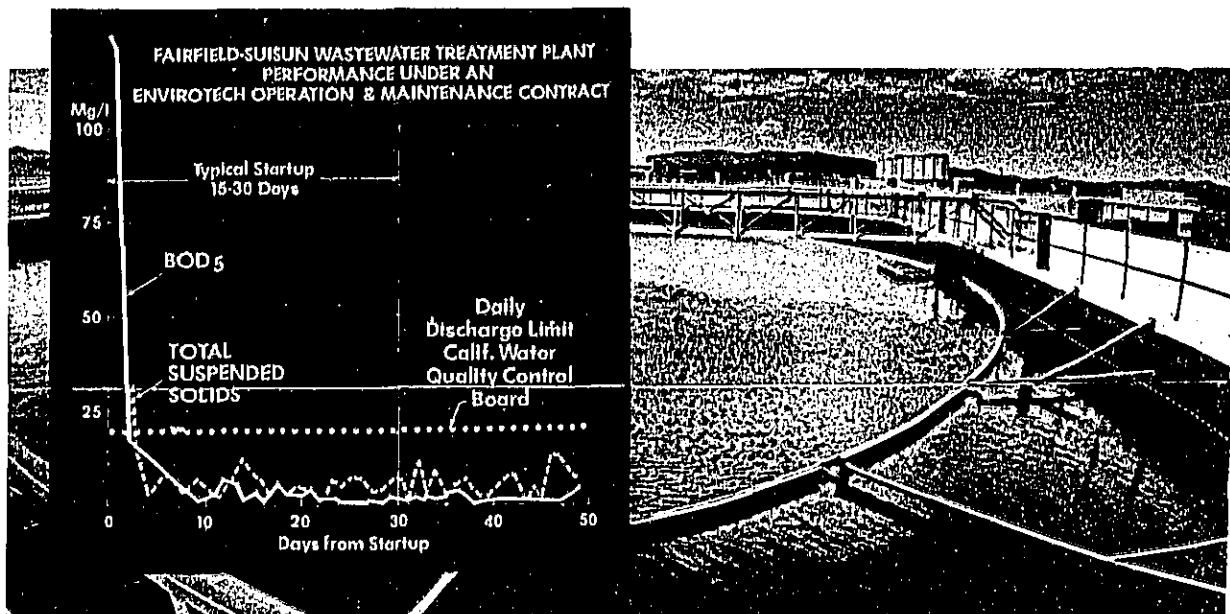
There is a lot of blue-sky thinking in Squires' list and a lot that goes beyond simple two-way interactive cable television. The future that his list anticipates may have to wait a while, though, because people don't keep pace with technology. Cable television is about thirty-years-old, but it is far from universal (only 17.9 percent of homes with television are on a cable system) and its use in creating a sense of community is still largely experimental. "It will be a long time before cities really see cable as a tool," says Mitchell Moss at New York University's Graduate School of Public Administration. "You need an organizational structure at the local level to do it." In Reading, for instance, the programming capacity is outside the city government; the same is true of Channel L, although New York does have its own station; in Madison, for a contrast, City 12 is run by people on the city payroll.

"Cable television has to grow city by city," Reading's Red Burns says, "but what matters is not the technology, but the use. It's far more exciting to harness technology to work in favor of an exchange of opinion." Mitchell Moss puts it another way: "Technology won't change the way the government is done but complement it." □



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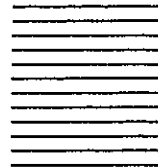
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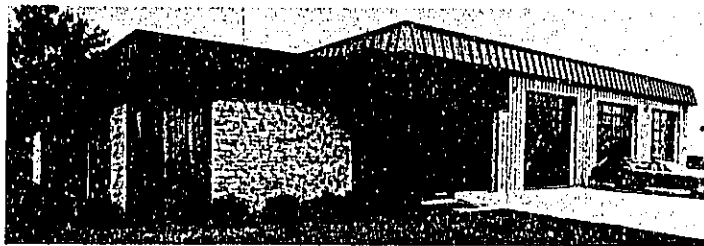
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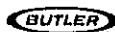
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Noise: A Challenge to Cities



This special report was prepared by Jill Williams Lucas of Porter, Novell and Associates, Inc., at the direction of the Environmental Protection Agency's Office of Noise Abatement and Control and was contributed to by Bob Boranek and Newman, Inc. of Cambridge, Mass. It is paid editorial material.



Reprints of this report are available from the Office of Noise Abatement and Control (AW-471), United States Environmental Protection Agency, Washington, D.C. 20460

Like all pollution, noise is an unwanted by-product of our industrialized society. Unlike air and water pollution, noise pollution is tasteless, odorless, and invisible. Yet its effects on the cities and towns of America are no less pervasive than the effects of impure water or dirty air. Noise interferes with our health, our communication, our work, our rest and recreation, and our sleep.

Most of us have been disturbed by noise—a barking dog, a siren in the night, a garbage truck in the morning. Noise is all around us. And many people are subjected to almost constant levels of excessive noise in their homes or at work. Each of us contributes to the noise problem which is more acute where there are more of us—in our urban areas.

Nearly half the population is regularly exposed to levels of noise that interfere with normal activities, such as speaking, hearing, and sleeping. Noise is no longer just an urban problem. The suburbs near our urban centers are beginning to experience the same levels of traffic and industrial noise once confined to our cities and some higher levels as well: the noise of blaring stereos, clattering lawn mowers, low-flying aircraft. Even deep in the country's parks and forests where people go to escape the noise of the cities, quiet is often shattered by motorcycles, airplanes, snowmobiles, and chain saws.

An Ago-Old Problem

Noise is not a new problem. In the first century B.C., Julius Caesar passed the first noise ordinance by banning chariots from the streets of Rome at night. In early America, wagons and horses clattering on cobblestone streets produced enough noise to annoy the citizens and move them to action. But it wasn't until the beginning of the In-



dustrial Revolution in this country that serious noise problems began to develop.

Since then, noise levels have been accelerating, and in the more than thirty years since World War II, the number of high-intensity noise sources has increased dramatically: more cars, trucks, motorcycles, and other vehicles on our highways than ever before; more office buildings and houses equipped with air conditioners; more industrial plants. Obviously, the noise problem is woven into the fabric of modern life. Although we enjoy a high standard of living, we pay for it in part with the noise our remarkable technological

society creates.

What Can We Do About Noise?

Most Americans do not adequately understand the noise problem. We are annoyed by noise, but we don't realize two important things about it. First, it has serious health consequences. Second, there are many things we can do to reduce noise. Some actions can give immediate relief; others will not produce tangible effects for years to come. Noise is a problem which most of us have seen as too big, too complex, and too remote from our daily lives to do very much about. It would seem that noise, like the



Noise Affects the Quality of Our Lives

The sounds we hear, whether or not they are considered noise, are measured in units called decibels. The human ear perceives a very wide range of sounds measured in decibels (see chart). Decibels are computed logarithmically; each step up the decibel scale represents a dramatic change in sound intensity or loudness. For instance, the amount of noise a dishwasher makes (70 decibels) sounds twice as loud as conversational speech (60 decibels), and four times as loud as the noise inside an average house (50 decibels). Decibels will be used to characterize the sound levels of various products throughout this supplement. By referring to the chart (on page 22) you can compare the decibel levels with the sound levels of familiar everyday sounds.



weather, is something everybody complains about but very few do anything about.

This special report will describe some of the ways in which people all across the country are seeking to find lasting solutions. Failure to begin now and continue vigorously to reduce noise is to consign future generations to a world even noisier than the one we inhabit now.

Charles L. Elkins
EPA director of noise programs

Hearing Loss

Noise loud enough to cause hearing loss is virtually everywhere today. Our jobs, our entertainment and recreation, and our neighborhoods and homes are filled with potentially harmful levels of noise. It is no wonder that 20 million or more Americans are estimated to be exposed daily to noise that is permanently damaging to their hearing.

Hearing loss usually occurs gradually. The first awareness of the damage usually begins with the loss of occasional words in general conversation and with difficulty understanding speech heard on the telephone. Unfortunately, this recognition comes too late to recover what is lost. By then, our ability to hear the high frequency sounds of, for example, a flute or piccolo or even the soft rustling of leaves will have been permanently diminished. As hearing damage continues, it can become a handicap for which there is no cure. Hearing aids do not restore noise-damaged hearing although they can be of limited help to

some people. The idea that hearing loss is solely the result of industrial noise is dangerously erroneous. Noise levels in many places and in some of the vehicles we use are well above the levels believed to cause hearing damage over prolonged periods.

Noise Interferes with Conversation

Losing the ability to speak at a normal level and be heard may be far more damaging than we realize. People who live in noisy places tend to adopt a lifestyle devoid of communication and social interaction. They stop talking, they change the content of the conversation, they talk only when absolutely necessary, and they frequently repeat themselves. These reactions are probably familiar to all of us.

Outdoors, a combination of continuous daytime noise (traffic, construction equipment, aircraft) interrupts speech and discourages conversation as well.

Intrusion at Work and at Home

Where excessive noise is present, the accuracy of work suffers. Errors in people's observations tend to increase, perception of time may be distorted, and greater effort is required to remain alert. Even when noise does not interfere with the work at hand, the quality of that work may suffer after the noise stops. Studies and reports from individuals also suggest that people who work in the midst of high noise levels during the day are more susceptible to frustration and aggravation after work.

Relaxing at home after a noisy workday may not be an easy thing to do. When the home itself is noisy, the tired, irritated worker may never be able to work out the day's accumulated stress during the course of the evening.

Industrial noise may have the

most pronounced effects on human performance and health. A coal industry study indicated that the intermittent noise of mining causes distraction which leads to poor work. Other studies have confirmed additional effects of exposure to noise including exhaustion, absent-mindedness, mental strain and absenteeism. In the words of Leonard Woodcock, former president of the United Auto Workers, "They (auto workers) find themselves unusually fatigued at the end of the day compared to their fellow workers who are not exposed to as much noise. They complain of headaches and inability to sleep and they suffer from anxiety. . . . Our members tell us that the continuous exposure to high levels of noise makes them tense, irritable, and upset."

Sleep

Noise can interrupt and prevent sleep. The effects of interrupted sleep may be no more serious than the feeling of fatigue the next morning. But repeated interruption of sleep over long periods of time, such as experienced by many persons living near highways and airports, may have more serious effects. Some experts believe that noise which is not loud enough to fully wake a sleeping person can have serious effects by interfering with dreaming. It has been established that long term interruption of a person's dreaming can cause serious mental and physical problems such as aches, pains, depressions, and even psychotic states.

The Body's Other Reactions

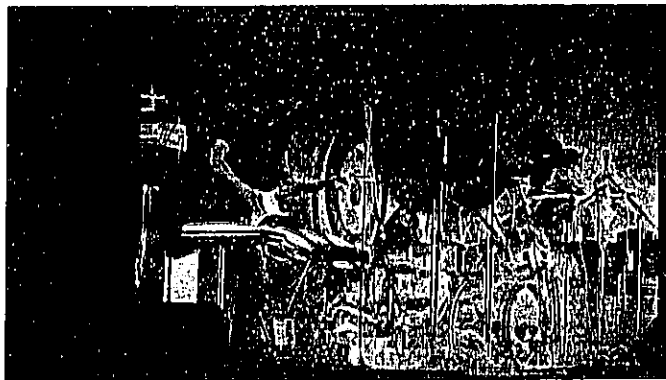
Growing evidence strongly suggests a link between noise and heart problems. The explanation? Noise causes stress and the body reacts with increased adrenaline, changes in heart rate, and elevated blood pressure. Noise, however, is only one

of several environmental causes of stress. For this reason, researchers cannot say with confidence that noise alone caused the heart and circulatory problems they have observed. What they can point to is a statistical relationship apparent in several field and laboratory studies.

The best studies come from industrial settings. Steelworkers and machine shop operators, laboring under stress of high noise levels, had a higher incidence of circulatory problems than did workers in quiet industries. A German study documented a higher rate of heart disease in noisy industries. In Sweden, several researchers noted more cases of high blood pressure among workers exposed to high levels of noise than among other workers.

Some laboratory tests produced observable physical changes. In one, rabbits exposed for ten minutes to the noise levels common to very noisy industries temporarily developed a much higher level of blood cholesterol than did unexposed

school children exposed to aircraft noise in school and at home had higher blood pressure than children in quieter areas. Because the danger of stress from noise is greater for those already suffering from heart disease, physicians frequently take measures to reduce the noise their patients are exposed to. For instance, a town in New Jersey moved a fire house siren away from the home of a boy with congenital heart disease when his doctor warned that the sound of the siren could cause the boy to have a fatal spasm. Another doctor ordered a silencing device for the phone of a recuperating heart patient. While the precise role of noise in causing or aggravating heart disease remains unclear, the illness is such a problem in our society that even a small increase in the percentage of heart problems caused by noise could prove debilitating to many thousands of Americans. "Although it has not been proven definitely that prolonged exposure to loud noise

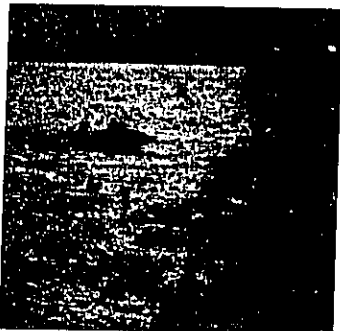


rabbits on the same diet. Similarly, a monkey subjected to a day-long tape recording of the normal street noises outside a hospital developed higher blood pressure and increased heart rate.

Among recent findings is the preliminary conclusion that grade

shortens the life span," says Jeffrey Goldstein, an Environmental Protection Agency (EPA) bioacoustical scientist, "it figures that if stress shortens the life span, and noise causes stress, noise can shorten the life span."

"To get ready for danger our bodies



pressure rises, heart rate and breathing speed, muscles tense, hormones are released into the bloodstream, and perspiration appears. These changes occur even during sleep.

The idea that people get used to noise is a myth. In studies dating

five-year study of two manufacturing firms in the United States found that workers in noisy plant areas showed greater numbers of diagnosed medical problems, including respiratory ailments, than did workers in quiet areas of the plants.

Newspaper files and police records report incidents that point to noise as a trigger of extreme behavior: A man shot one of two boys who refused to stop a disturbance outside his apartment. Sanitation workers have been assaulted, construction foremen threatened, and motorboat operators shot at—all because of the noise they were making. A study of two groups of people playing a game found that the subjects playing under noisier conditions perceived their fellow players as more disagreeable, disorganized, and threatening.

Several industrial studies indicate that noise can heighten social conflicts both at work and at home. And reports from individuals suggest that noise increases tensions between workers and their supervisors, resulting in additional grievances against the employer.

Although no one would say that noise by itself brings on mental illness, there is evidence that noise-related stress can aggravate existing emotional disorders. Research in the United States and England points to higher rates of admission to psychiatric hospitals among people living close to airports. And studies of several industries show that prolonged noise exposure may lead to a larger number of psychological problems among workers.

Noise and the Unborn

Even the womb offers no refuge from noise. While still in its mother's womb, the developing child is responsive to sounds in the mother's environment. Particularly loud noises have been shown to stimulate the fetus directly, causing changes in

make automatic and unconscious responses to sudden or loud sounds. Of course, most noise in our modern society does not mean danger but our bodies don't know that. They still react as if these sounds were a threat or a warning. In effect the body shifts gears. Blood

back to the 1930s, researchers noted that workers chronically exposed to noise develop marked digestive changes which were thought to lead to ulcers. Cases of ulcers in certain noisy industries have been found to be up to five times as numerous as what normally would be expected. A



the heart rate of the fetus.

For mothers who work in factories or other noisy places, it is possible that noise has a direct and negative effect on the fetus. High levels of noise may pose a threat to the hearing and other capacities of the unborn child. A Japanese study of more than 1,000 births produced evidence of a high proportion of low weight babies in noisy areas. These birth weights were under 5½ pounds, the World Health Organization's definition of prematurity. Low birth rates and noise also were associated with lower levels of certain hormones thought to affect fetal growth and to be a good indicator of protein production. The difference between the hormone levels of pregnant mothers in noisy versus quiet areas increased as birth approached.

Studies show that stress causes constriction of the uterine blood vessels that supply nutrients and oxygen to the developing baby. Additional links between noise and birth defects have been noted in a recent preliminary study of people living near a major airport. The abnormalities suggested included hare-lips, cleft palates, and defects in the spine.

Effects on Children

Adults long have worried about the effects of noise on children. In the early 1900s, "quiet zones" were established around many of the nation's schools to increase educational efficiency by reducing noises believed to interfere with children's learning and even to hamper their thinking.

Today, researchers looking into the consequences of bringing up children in this less than quiet world have discovered that learning difficulties are likely byproducts of the noisy schools, play areas, and homes in which our children grow up. Because they are just learning, children have more difficulty under-

standing language in the presence of noise than adults do. As a result, if children learn to speak and listen in a noisy environment, they may have great difficulty in developing such essential skills as distinguishing the sounds of speech. For example, against a background of noise, a child may confuse a sound of "v" in "very" with a "b" in "berry" and may not learn to tell them apart. Another symptom of this problem is the tendency to distort speech by dropping parts of words, especially their endings.

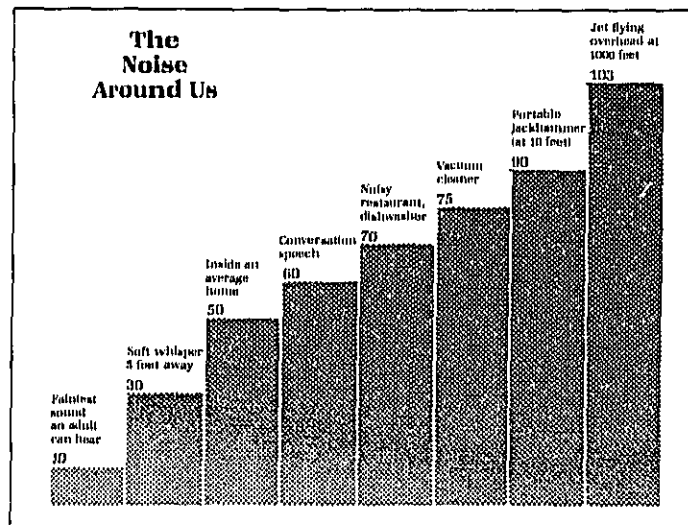
Reading ability also may be seriously impaired by noise. A study of reading scores of fifty-four youngsters in grades two through five indicated that noise levels in their four adjacent apartment buildings were detrimental to the children's reading ability. The influence of noise in the home was found to be more important than even the parents' educational background, the number of children in the family, and the grades the youngsters were in. The longer the children had lived in a noisy environment, the more pronounced the reading impairment.

Assuming a child arrives at school with language skills underdeveloped because of a noisy home, will he or she fare any better at school? In a school located next to an elevated railway, students whose classrooms faced the tracks did significantly worse on reading tests than did similar students whose classrooms were farther away. In Inglewood, Calif., the effects of aircraft noise on learning were so severe that several new schools had to be built. As a school official explained, the disruption of learning went beyond the time wasted waiting for noisy aircraft to pass over. Considerable time had to be spent after each flyover refocussing students' attention on what was being done before the interruption.

Noise Is All Around Us

Noise in modern offices often results in similar losses of concentration and is often at levels that can cause hearing impairment. The noise of typewriters, Xerox machines, telephones, and computers reaches nearly intolerable levels.

Even in the house, there are a



Cities Are Meeting the Noise Challenge



large number of noisy appliances—dishwashers, vacuum cleaners and garbage disposals. The combined din from household appliances may be literally deafening. The full extent of the noise problem is difficult to gauge. Only a relatively small percentage of people who studies show are bothered by noise actually register complaints about noise or otherwise act to control all the noise around them.

The noise problem in America is very real. And it is growing steadily worse. The EPA's Urban Noise Survey, conducted in 1977, disclosed that about half the U.S. population regularly is exposed to levels of noise that bother and annoy as well as interrupt normal activities. It is estimated that 15 million U.S. workers are exposed to noise potentially hazardous to their hearing. At least 100 million Americans are exposed to noise levels that may be detrimental to their health and welfare. Most serious, about one person in twenty—or more than 20 million people—have some degree of irreversible hearing loss. Something can and should be done about noise. The remainder of the report will present some ideas as to how cities and their citizens can seek solutions to the problems of noise.

Boulder, Colorado

Boulder, Col. has a noise ordinance because one man was disturbed by the increasing number of loud motor vehicles going up and down the street in front of his house. "Donald Billings is the kind of guy who likes to putter around in his yard and flower beds, and the noise really bothered him," says Jim Adams, environmental protection officer for Boulder. Billings decided to do something about the problem, formed a committee of citizens, and started working on an ordinance. His committee, composed of an acoustician, some professional engineers, and a few high school students, published a questionnaire in the local newspaper asking people which noise sources annoyed them most. The responses, in order, were motorcycles, traffic, barking dogs, and aircraft. The committee collected evidence for about a year and a half, including a survey on the health effects of noise. That survey revealed that noises over 70 decibels could result in up to a 20 percent loss of effectiveness in jobs that required concentration. "We have about 20,000 students at the University of Colorado, and they can't afford to lose 20 percent of their learning power," Adams says.

Billings contacted the city manager and city attorney and presented the committee's findings. An ordinance was drafted and the city council passed it in January, 1970.

The ordinance includes noise level standards for both vehicular and non-vehicular noise. The maximum acceptable level for vehicles under 10,000 pounds is 80 decibels at 25 feet distance and for vehicles over 10,000 pounds is 88 decibels at 25 feet.

When a violation occurs, the police department summons the offender either to appear in court or have his car repaired and inspected.

If the car then tests in compliance with the ordinance, the environmental protection officer can recommend dismissal to the court. The city is experiencing better than 85 percent dismissals and is writing an average of 800 summonses a year (almost 4,000 since 1972). Owners of vehicles not brought into compliance face up to \$300 in fines, depending on the level of violation. The louder the noise, the higher the fine. "We don't issue warnings, because we want the offending vehicle repaired," Adams says. "But the objective of our ordinance is to achieve quiet, not to collect fines. We call this the 'soft fuzz' approach," he says.

The Boulder ordinance provides that citizen complaints about noise be registered and a letter of warning be sent to the alleged violator. Anonymous complaints are not accepted. Non-vehicular noise is restricted according to zones. For instance, allowable levels between 7:00 A.M. and 11:00 P.M. are 55 decibels for residential areas, 65 decibels commercial and 80 decibels for industrial. Between the hours of 11:00 P.M. and 7:00 A.M. the levels are 50 decibels for residential, 60 decibels for commercial and 75 decibels for industrial. "We have answered more than 4,000 complaints of environmental noise, and have only had to issue six summonses because the problem was corrected," Adams says.

Noise enforcement is handled by Adams and two policemen. They monitor vehicular noise about twenty hours a week from a chase car equipped like a police car, except that it is green and white and is marked "Noise Control." The car has special noise monitoring equipment. The salaries of all three enforcement officers and the cost of their equipment come out of a \$36,000 budget.

Adams and his staff worked very closely with the EPA regional office in Denver, especially to amend and

improve the original noise ordinance in Boulder. "We drew a lot from the EPA model ordinance," Adams said.

After the ordinance was passed, Boulder launched a public education campaign. Adams and his staff taught classes from first grade all the way up to physics and environmental design courses at the University of Colorado. "We also have good relations with the local press and radio stations," Adams says. "We capitalized on that and developed several radio public service announcements which are still being broadcast," he says. They also developed a brochure which explained what the ordinance entailed, what noise levels were permitted, and what the fines were. "The local civic organizations have also been a big help," Adams says. "Every time we have the opportunity we speak to these groups."

Boulder's basic noise philosophy is to address noise problems as they arise. Adams is also involved in developmental reviews so he has an effect on land use and construction decisions. "We have good relations with our commercial neighbors," Adams says. "Several industries have cooperated voluntarily in noise control."

"The Boulder story illustrates the possibilities of citizen and community action to initiate noise control and enforce it," says Charles Elkins, director of noise programs for the EPA. "One person was able to make a difference."

New York City

"We're one of the cities that pioneered in noise abatement," according to Elhan C. Eldon, New York City commissioner of air resources. "The New York City noise control code was the first in the state, and our standards are stricter than those in many other areas of the country. Although we've experienced serious



cutbacks in manpower and fundings, we have a viable program and one we feel is successfully lowering noise levels," Eldon says.

The strategy of the city's forty-four-person Bureau of Noise Abatement is to identify sources of noises that affect the most people and then find technological solutions. One noise which affects about 4.5 million people every day comes from the subway. "We have many areas in the subway system where noise equals that of jet planes at takeoff," Eldon says. With the aid of the federal Urban Mass Transportation Administration, the New York Transit Authority has begun a ten-year program to lessen subway noise. "We are already beginning to see some progress," Eldon adds.

New York City tried an experiment a few years ago to see how serious the noise problem really was. The

Department of Air Resources sent a van around the city and tested the hearing of more than 2,000 people. The results showed a significant hearing loss in most people tested. Tests also were conducted on people before and after they rode the subway for half an hour and findings showed a temporary hearing loss.

The city regulates all kinds of construction equipment, including pavement breakers and air compressors. It specifies the types of equipment that can be used, and requires mufflers for most machines. "We work with the manufacturers and the operators of the equipment to determine technologically feasible solutions. We also build noise level standards into the law so that industry knows that in so many years its equipment has to be so many decibels quieter. This way you get everyone involved with the equipment into compliance," Eldon says.

An ambient noise zone law is being reviewed by the city council. The proposed law would establish one allowable day sound level for industrial areas and a much tougher allowable level in residential areas. A mixed-use zone would be somewhere between these two. Night levels would be even lower; a help in controlling noise from private garbage collectors.

Since early 1974, New York City has had a truck noise enforcement program, which Eldon believes is exceptionally effective. The state followed this example and passed a truck noise law last year, as did New Jersey, ensuring regional control over truck noise. "The citizens in our city don't have to be reminded that noise is a big problem, that it affects the quality of their lives. And, we're experiencing good cooperation because of that public awareness," Eldon says.

EPA noise program Director Elkins says, "Solutions to noise prob-

lems are technologically feasible and currently available. Even small communities can benefit from New York's experience. These methods work in communities of all sizes."

San Francisco

San Francisco has a noise task force comprised of the Police, the Public Works, and the Public Health departments. Public Works handles all construction noise during the day, Public Health handles fixed source noises, and the Police Department handles everything else including complaints about bars, discotheques, sporting events, garbage trucks, and motorcycles, says Joe Bodisco, San Francisco police officer and the community noise officer.

"I would say we handle 175 to 200 community noise complaints a month," Bodisco says. The Public Works and Public Health departments handle between forty and fifty complaints per month. Barking dogs used to account for an extra 350 complaints. That responsibility has been transferred to the animal control unit, which is run by the Police Department.

Each complaint results in both written and verbal warnings to the violator. The second complaint usu-

ally results in a \$25 fine, a third complaint \$50, and so on. A fifth complaint usually leads to misdemeanor charges. If the violator is a dog, the Society for Prevention of Cruelty to Animals might take the dog away.

Bodisco says, "The city people are wise to the effectiveness of our program, and keep the noise down. The majority of the people that have been cited for noise violations since 1976 are commuters." More than 90,000 vehicles cross the two bridges into San Francisco each day. Bodisco and his task force find most of the noise in areas adjoining the bridges.

EPA director of noise programs Elkins says, "A good noise program draws on the talents of many departments. The police, health, animal control, transportation and planning departments all have important roles to play."

Florida

"Our program is geared to local governments," says Jesse O. Borthwick, administrator for noise control for Florida. "Over the past five years we've helped more than 100 cities and counties to develop some types of noise program," he says.

The noise control section in the Department of Environmental Regula-

tions is staffed by two people, Borthwick and an assistant, and is limited by a very small budget. Yet in five years the office has trained more than 500 officials from more than 100 state and local agencies in various aspects of environmental noise or motor vehicle noise enforcement.

"If a city is interested in noise control we provide counseling and technical assistance. First we do an area-wide survey of the city to see what kinds of noise levels they have and where the problem areas are. On the basis of this survey we develop an ordinance or noise level standards to recommend to the city. We also provide training for police officers or other enforcement personnel. We train and certify these people and try to provide the necessary noise-monitoring equipment. After that we act as a consultant to the community until the program is well underway," Borthwick says. All of these services are provided to the community free of charge. "Noise is often a low priority," he says. "You almost have to pay people to get them involved. But once a community has been introduced to a noise program, the citizens usually become extremely interested, and become advocates for the program."

The department also has written a comprehensive plan to control motor vehicle noise. "Our first priority is to try to reduce noise at the source. Then we try to do something at the receiver end of the noise through land use planning. As a last resort we encourage building noise barriers along highways," he says. But Borthwick believes source control is the most effective method of controlling motor vehicle noise.

"We also have a law that went into effect in 1974 that sets standards for all new motor vehicles sold in the state. Every vehicle must meet specific standards," Borthwick's group provides the state Department of Motor Vehicles with a list of certified vehicles. "Before you can register a



new vehicle, you've got to be on that list," Borthwick says.

Florida also has a muffler certification program. All muffler and exhaust systems for motor vehicles sold in the state must be certified to meet certain noise standards.

"Regulations are the first step in handling the noise problem," Borthwick says. "The second step is having a strong enforcement program." The Florida Highway Patrol has provided a seven-man motor vehicle noise enforcement team. The enforcement team also provides instruction to other law enforcement officers in the state. "Our philosophy is that the problem is really a local one that can best be solved at the local level. So we've geared our whole program towards training and certifying local law enforcement officers," Borthwick says. There are currently more than 300 persons throughout Florida that have been trained and certified in a one-week school on motor vehicle noise enforcement. Each agency is required to provide monthly statistics on their enforcement actions.

Sixty-four percent of the respondents considered noise harmful to their health or well-being; 72 percent said they were aware of noise and sometimes bothered by it. Another 12 per cent said they were easily bothered by noise. Eighty-eight percent of the respondents believed that noise sources should be controlled by rules or laws. Of those, 65 percent felt local governments should handle the noise problem, 30 percent said state governments, and 21 percent said it should be the job of the federal government.

Borthwick's office is doing research to determine average noise levels throughout the state. More than 30,000 vehicles have been monitored by his office with help from several Florida universities which serve as consultants. Truck noise also is being monitored. "Since

1974, when our regulation went into effect, we have experienced a three-decibel reduction in noise from trucks. We also have experienced a reduction in the number of violations of the truck noise standards. About 20 percent of the trucks monitored at the start of our program were in violation of the law. That number is now less than 5 percent," Borthwick says.

Florida is just beginning to plan to prevent future noise problems. "A lot of the problems we have are a result of poor planning," Borthwick says. "When you develop a residential area under a flight pattern, or when you build a hospital next to an eight-lane interstate, you are creating noise problems." The Florida Noise Office has just provided host positions for two "older American" workers made available under Title IX of the Older Americans Act which is administered by the U.S. Department of Labor. The program provides employment for retired or unemployed persons over fifty-five years old. The noise office plans to utilize these people to help make decisions on where to put new industry and other heavy noise makers.

"People just don't think of noise as a problem," Borthwick says. "We've

lived with it for a long time and have grown to accept noise as something that goes along with modern technology. But we don't have to live with it; we can control noise and improve the quality of our lives."

"States can play a very helpful role in assisting local communities to get a noise control program started," says EPA noise programs Director Charles Elkins. "The local interest is there. Often all it takes is an experienced state noise official to tell community leaders what similar communities have been able to do."

Colorado Springs, Colorado

The biggest noise problem in Colorado Springs is caused by motor vehicles—cars, motorcycles, and trucks. "It's a difficult challenge. Our town is growing every day and so are noise levels," said Joe Zunich, administrator of the city's noise abatement program.

But Zunich believes he's making some headway. "We have three enforcement officers who issue summonses to violators and test the vehicles for compliance," Zunich said. "We issued 645 summonses last year," he said. To help reduce motorcycle noise, Zunich thinks he has a solution. "We are going to put an officer on a dirt bike (off-road



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EPA is Helping

The U.S. Environmental Protection Agency is helping cities and states cope with noise problems. Through the Noise Control Act of 1972, Congress directed EPA "to promote an environment for all Americans free from noise that jeopardizes their health and welfare." It specified that EPA regulate new products in commerce that are "major sources of noise" and also work with state and local governments to create a quieter environment.

Although much of their recent activity has been directed toward regulation of new products, the EPA noise office has begun emphasizing state and local programs. Activity in noise control at the local level is increasing, with the number of local programs more than doubling in the last several years.

While the primary responsibility for noise control rests with local governments, EPA offers technical assistance to cities and communities and has started two anti-noise programs: the Quiet Communities Program (QCP) and Each Community Helps Others (ECHHO).

Quiet Communities

The Quiet Communities Program is a pilot project intended to show how to apply the best available techniques to control noise at the local level. The emphasis is on action by the local government aided by technical assistance and support from EPA in an all-out effort to control noise.

Allentown, Penn. was chosen to be the first Quiet Community. The city has a wide variety of noise problems that are considered to be manageable; its citizens expressed a strong concern for reducing noise and the city government actively sought participation in the program. According to Allentown's QCP coordinator, Jeffrey Everett, "Allentown runs the gamut as far as noise prob-

motorcycle) clearly marked, with the officer in uniform, and we're going to send him into drainage ditches, railroad right-of-ways, and big lots. These are areas where we get a lot of complaints about motorcycles and minibikes," Zurich says.

The public seems to be appreciating Zurich's efforts. "People have a place to go now when they have a noise problem," Zurich says. "Even the city councilmen are calling us now and asking us to help solve problems. I believe we've become a permanent fixture in this city's government."

"The most successful noise programs today are those that identify the noise problems that really 'bug' the citizens and get those problems solved first," says Elkins, EPA noise programs director. "Once they show they can produce results, community leaders are willing to back programs when they take on more difficult noise problems."

El Segundo, California

El Segundo, Calif. has tried a dif-

ferent approach—purchasing only quiet equipment whenever possible. According to City Councilman Dick Nagel, "When quiet equipment is available, we specify noise levels, and if the horsepower and size of the engine are sufficient, we buy the quietest product available." (Standards for most vehicles average under 75 decibels, 25 feet from the vehicle, 5 feet above ground). "When we're shopping for a product, we ask the vendors who are bidding to indicate the noise level of their product. For instance, we recently contracted for quiet garbage trucks by adding noise qualifications to the bid specs and prohibiting trash pick up before 7:00 A.M. in residential areas," Nagel says. All seven bidders said they could meet the qualifications, so El Segundo chose the lowest bidder.

EPA noise programs Director Elkins says, "The best noise control is that which is designed into a product, not just added on as an afterthought. Communities can use their purchasing power to induce manufacturers to produce quieter products for all."

lems are concerned: highway, industrial, and airport. Our primary problems are traffic-related or from domestic sources. That's where we get the most complaints." In the twelve-month period July 1, 1976 to June 30, 1977, there were 1,600 domestic complaints registered—everything from loud parties to barking dogs.

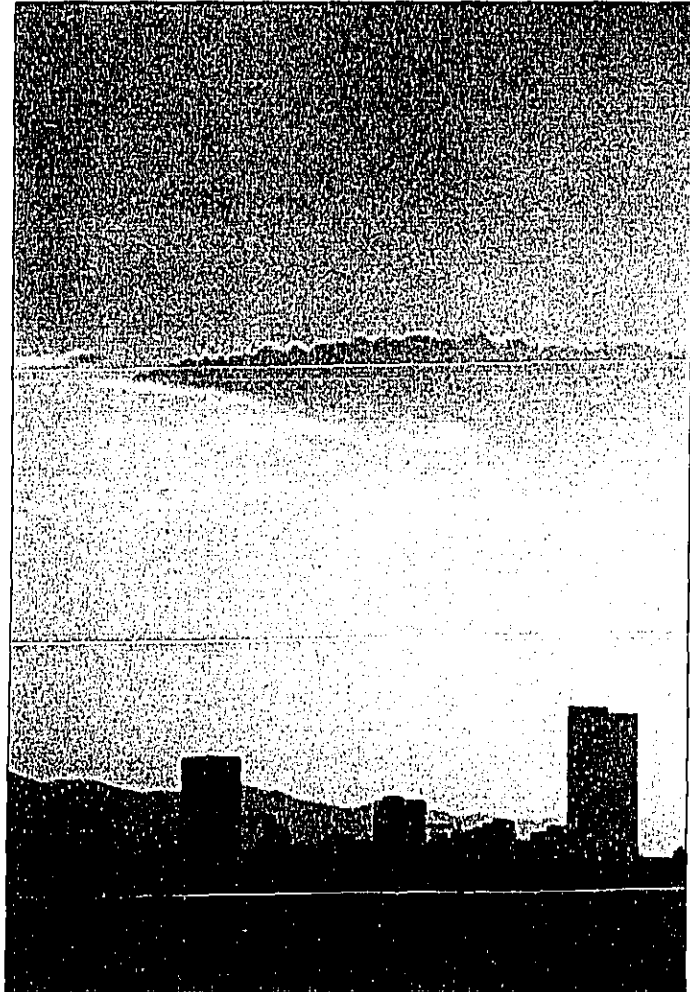
In the next two years several other communities will join the QCP, each of which will be supported by EPA for two years. With technical assistance provided by EPA, each Quiet Community will develop and implement noise control strategies through local ordinances, legislation, public information and education. Emphasis will be on involving citizens, neighborhood groups, and social and civic organizations in reducing their noise problems.

Each Community Helps Others

Another program designed to assist communities in solving their noise problems is EPA's Each Community Helps Others (ECHO) program. Communities will share their experiences in noise control with other cities and towns. Community noise advisors, who have been selected by EPA, will assist certain communities in solving particular noise problems.

A noise advisor might help community residents locate the sources of noise, determine which noises are most annoying or harmful, and assist in reducing noise by helping draft legislation and ordinances. The program will not provide the community with a solution to every noise problem, but will help with individual problem solving.

Several cities and towns that have employed noise control experts endorse this concept as an important asset to communities trying to initiate or improve noise programs. "A well-trained noise advisor can be a tremendous help and can benefit



several communities through a sharing process," says Sally Parsons, president of the Littleton Col. City Council.

EPA has accepted applications from several communities with serious but manageable noise problems and has assigned a community noise advisor to each. Some of these communities are: Council Bluffs, Iowa; Norfolk; Charleston; Des Moines; Sioux Falls; Tempe, Ariz. and Anchorage. By the end of June, 1978, at least twenty more communities will have been matched with qualified noise advisors.

Standards and Regulations

Congress also assigned the EPA

the task of setting noise standards and regulations for new products sold in commerce. This part of the noise control effort attacks the major cause of noise problems—the basic noisiness of many products and types of equipment. This effort is a necessary complement to state and local efforts to manage the noise problem.

Federal action ensures uniformity of standards and provides local officials the means to solve their noise problems. The EPA encourages public participation in the rule making process and is also considering the costs to manufacturers.

Quieting the Noise Makers

Sources and Resources: Use What You Have

Noise control programs at all levels of government are notoriously underfunded and understaffed.

How can city governments with limited budgets locate the people and money to conduct a noise control program? The simplest and best way to bypass that problem is to use what you have.

Because noise-monitoring equipment is easy to operate, using it could become a function of the local police department. City officials can be responsible for administering and supervising the program.

A successful noise control program in a city with major noise problems was carried out in El Segundo, for less than \$25,000. The city tapped local resources and avoided hiring new staff by using appointed city officials to administer the program. In Florida, the legislature directed the state's Department of Environmental Regulations to establish standards for environmental noise. "But the legislature didn't give the department enough resources to enforce statewide standards," according to Jesse Borthwick, Florida administrator of noise control. So the department contracted with five universities in the state to assist in the areas of research and development. "Our goal was to help cities and towns develop their own local noise programs," he says. The universities provided technical assistance, expertise, labor (by graduate students), and a lot of equipment.

A noise control program should emphasize public education and support. An effective liaison to the public is the local intermediary group—civic, religious, business, and professional. The program should also provide outlets for interested citizens and groups to control noise.

Several resource programs are

available from federal agencies, and cities can take advantage of these programs. The EPA provides technical assistance for any city or community that is working to develop a noise control program. Tools are available such as model building codes, mechanical equipment codes, model enforcement procedures, equipment loans, model state noise legislation, and public education materials. Assistance often involves a federal official working directly with communities to train local officials or help them solve specific problems.

Workers are available from such programs as Comprehensive Employment and Training Act Programs (CETA) and programs for the aging. CETA programs are managed by Department of Labor approved prime sponsors to provide job training and employment opportunities for economically disadvantaged, unemployed, and under-employed people. Programs for the aging are administered by the Department of Labor and the Department of Health, Education and Welfare's Administration on Aging. These programs are designed to mobilize the millions of older Americans and retired people who have the time and talent to contribute to community and state noise programs. For example, additional people were hired for the ten EPA regional noise offices through the Senior Environmental Employment (SEE) program, one of several programs which are part of an interagency agreement between the EPA and the Administration on Aging. EPA has published a booklet describing these programs and indicating how local officials can obtain these resources for their noise control programs.

Although grant money is not available, EPA can guide communities through the necessary steps in developing a noise control program.

Noise is a constant source of complaints for government officials in large cities and small. But even where state, local, and regional noise programs are active, controlling noise has proven a difficult task to accomplish. It is safe to say that state and local efforts alone, though imperative, are not sufficient to solve the problem. Although noise is at heart a community problem, its ubiquitous nature makes it a significant national problem, meriting federal attention.

This report illustrates some of the ways state and local government officials have dealt with noise issues in their communities. Their strategy generally has been to govern by law the actual operation of a variety of noisy products, including construction equipment, motorcycles, automobiles, and trucks. Other everyday noise sources, as well as people and animals, also are the subject of such "in-use" noise laws in many communities in this country. But, as necessary as these operational controls are, they do not solve the basic cause of noise problems: the inherent noisiness of many products and types of equipment. Community noise abatement strategies generally attack the problem after it has been created.

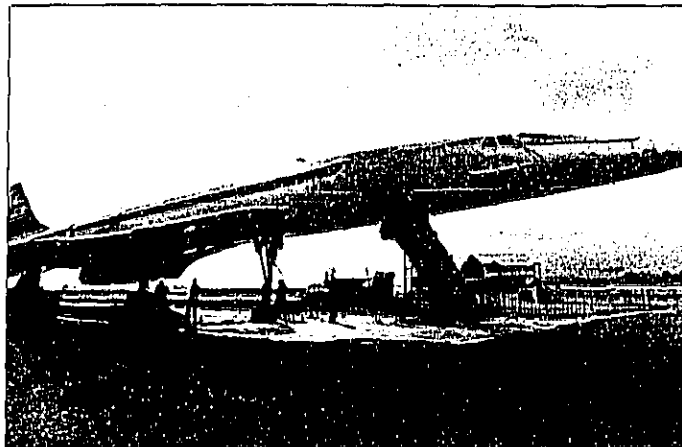
The Noise Control Act of 1972 directed the EPA to identify and regulate major noise sources most detrimental to the public's health and welfare. The EPA has authority to regulate only newly-manufactured products, but using it will ensure national uniformity of treatment and can be the most cost-effective way of reducing noise at the point of its manufacture. States and local governments retain responsibility for controlling the operation of noisy products.

Since 1972, the agency has identified nine products as major noise sources. They are: portable air compressors, medium and heavy trucks,

wheel and crawler tractors (used in construction), truck refrigeration units, garbage trucks, motorcycles, buses, power lawn mowers, pavement breakers (or jack hammers), and rock drills. Initial standards for air compressors and trucks become effective January 1, 1978. In late 1977, proposed regulations were issued for wheel and crawler tractors, garbage trucks, and buses. The public comment periods have ended and the EPA is reviewing the public docket in preparation for issuing final rules within the year. Regulation for motorcycles and their replacement mufflers were proposed March 15, 1978 and a final rule is expected in mid-1979, although motorcycle manufacturers would not be required to meet initial standards until 1980.

Several other products are being investigated by the EPA to see if their noise levels warrant regulation. They include automobiles and light trucks, tires, mufflers, snowmobiles, chain saws, air conditioners, guided mass transit, motorboats, and earth moving equipment. The agency also has undertaken several programs to examine the feasibility of noise labeling requirements for a variety of products, including air conditioners, vacuum cleaners, chain saws, mufflers, and snowmobiles.

Under a separate category of the Noise Control Act, EPA has set in-use standards for interstate railroads and motor carriers. These standards preempt state and local in-use as well as federal standards which must be met before products are sold. Congress chose to impose this preemption because of the interstate nature of these two classes of noise sources. Other sections of the act assign EPA limited regulatory responsibilities, such as recommending aviation noise standards to the Federal Aviation Administration (FAA). In general, the FAA has chosen not to implement EPA's proposals.



Aircraft and Airport Noise

Noise is an integral part of aviation and the busy airports that serve countless communities across the country. But every day, many people living near airports suffer excessive levels of noise which are not only annoying, but also may be harmful to their health and welfare.

As airports and air traffic continue to grow, the aviation noise problem is becoming more severe. No ideal solutions are known, particularly where airports are already surrounded by hundreds of thousands of people, but many communities are discovering they can work together with the airport proprietor and reduce noise.

The FAA has primary responsibility for aircraft noise and has established noise level standards for all newly-manufactured aircraft. But often the problem stems from such sources as the pattern of surrounding land uses. City officials and interested citizens can help by effecting noise abatement programs and land use programs. If the community and the airport join together to present a plan to the FAA, they can promote comprehensive noise abatement planning and control.

Citizens have had success in gaining a voice in the planning process for operation procedures at airports. For instance, in Minneapolis, the Metropolitan Aircraft Sound Abatement Council, a group composed of citizens, airport operators, and industry representatives, has dramatically reduced aviation noise around the Minneapolis-St. Paul airport. The EPA worked with airport authorities during the development of EPA's airport noise evaluation process (ANEP), a method for determining how much noise aircraft add to an area.

The ANEP involves determining the general noise in the area of the airport and estimating aviation noise in the same area. By comparing aviation noise to total noise, an effective airport noise abatement and land-use plan can be developed.

In El Segundo, citizens lobbied for quieter planes, and worked directly with the airport to bring about changes in operations, take-off, and landing. "We've had a fair amount of success with the problem," according to city Councilmember Dick Nagel. "We're putting pressure on industry and other groups to get quieter planes and we've had pretty good success. Most newly-pur-

chased planes are meeting quieter standards," Nagel said.

By changing flight patterns, a city ordinance in Tempe, Ariz. has significantly reduced noise that was disturbing the community. The Phoenix-Sky Harbor Airport is monitored continually by a noise abatement committee that includes several citizen representatives.

There are limits to aircraft noise abatement. Noise is a part of aviation. Airplanes are subject to physical laws which restrict the manner in which they fly. Safety is and must be the primary concern. But excessive noise caused by airplanes and airports can be reduced. Cooperative effort by the community and the airport to explore the possibilities for noise abatement is an important first step in conquering the problem.

Motorcycle Noise

Motorcycles are one of the greatest sources of citizen noise complaints in this country. For example, in a recent EPA urban noise survey, respondents cited automotive noise sources, particularly motorcycles, as the most annoying of all noise sources. A 1977 statewide survey conducted in Florida disclosed that noise from motorcycles and minibikes annoyed more people (41 percent) than any other noise source. (Next behind motorcycles were airplanes and helicopters cho-



sen by 9 percent of the respondents.) In San Francisco, a 1967 newspaper survey found motorcycle noise to be the number one source of citizen annoyance.

Motorcycle noise affects almost everyone. People living in urban and suburban areas complain about the annoyance. Excessive noise from motorcycles is even polluting wilderness areas where appropriate use restrictions are not enforced. A large part of the problem comes from motorcycles that have been modified by their owners to make even more noise than they did when they came from the factory. Many bike owners are under the mistaken impression that they can achieve better performance by tampering with their mufflers. What is usually achieved is merely more noise—not just for the rider but for everyone else. Some motorcyclists even desire noisier bikes than can be bought new from retail stores. As a result, a large market has grown up over the years dealing in the manufacture and sale of noisier replacement mufflers considerably less effective than the originals.

Whose responsibility is it to solve the problem of motorcycle noise? The federal government's? The states? The cities? The answer is that the problem will be solved only through the combined efforts of both local and federal governments. Each level of government can achieve different results. State and local governments are ideally suited to enforcing in-use noise laws, many of which already have been adopted. The federal government is ideally suited to requiring manufacturers to reduce the noise of new motorcycles and replacement mufflers before they are sold. All fifty states asked the federal government for motorcycle noise regulations.

The EPA proposed a regulation for motorcycles and replacement mufflers on March 15, 1978. The proposed rule addresses the problem of owner modification as well as the noise levels of several types of new motorcycles. The proposed standards will require street motorcycles and off-road motorcycles to be quieted from current levels by some 2-9 decibels over a six-year period. (See chart.) The standards also will apply to replacement muffler systems.

Mufflers intended for use on motorcycles built after 1980 would have to meet the new standards. However muffler manufacturers can continue to build noisy systems for older bikes that are not subject to the regulation and it is likely that some of these noisy systems will appear on 1980 and later models. To counter this, the proposed regulation would require mufflers intended for older, non-federally regulated bikes to be labeled as not meeting EPA standards. This label would enable police or other enforcement personnel to detect mufflers which are used on the wrong motorcycles.

Requiring quieter motorcycles and mufflers will not, by itself, solve the problem, of course. State and

| Type of Motorcycle | Proposed Regulation | | | |
|---|---------------------|-------------|-------------|-------------|
| | By 1980 | By 1982 | By 1983 | By 1985 |
| Street Motorcycles | 83 Decibels | 80 Decibels | | 78 Decibels |
| Small Off-Road Motorcycles and Minicycles | 83 Decibels | 80 Decibels | | 78 Decibels |
| Large Off-Road Motorcycles | 86 Decibels | | 82 Decibels | |
| Mopeds | 70 Decibels | | | |

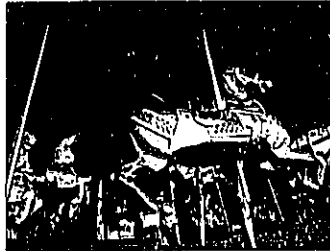
NOTE: These levels are measured according to a rapid acceleration test. Normal acceleration levels would be 2 to 3 decibels lower and cruise operation levels could be anywhere from 5 to 15 decibels lower.

local governments will have to complement these proposals with active enforcement if they want to realize significant noise reduction. Tampering with quieted products is a violation of federal statute, but there is no federal police force to punish tamperers.

The EPA proposal contains several tools that are intended to make the state and local enforcement job a lot easier. Several labels are required to be placed on motorcycles and mufflers. One is a compliance label indicating that a motorcycle is in conformance with EPA standards. It also tells whether a motorcycle is a street, off-road, or competition bike. A label on the muffler states which individual models it can be used on or that it is intended for older motorcycles and should not be used on motorcycles manufactured after 1980. Finally the motorcycle will carry a label indicating that model's sound level on a simple stationary test (not the acceleration test that defines the standard). An enforcement officer can run this same test in a field with a sound level meter. If the sound level significantly exceeds the level on the label, he has objective evidence that tampering or severe deterioration has taken place.

The proposed regulation will result in a significant reduction in motorcycle noise. In combination with state and local enforcement efforts, the regulation is expected to result in a 55-75 percent decrease in street motorcycle noise. Off-road motorcycle noise should be reduced by 25-33 percent. The health and welfare benefits to the community are obvious. Millions of Americans are exposed each day to motorcycle noise levels that can cause stress, tension, and other physiological and psychological reactions. Much of this excessive noise will be reduced by the proposed regulation and its enforcement.

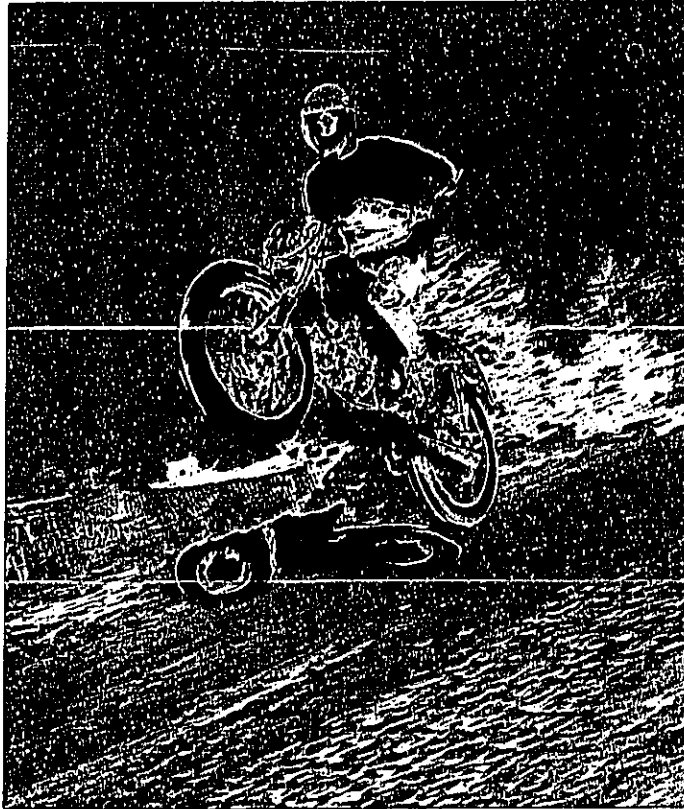
The proposed regulation is still



should be sent to:

Motorcycle Noise
EPA
Washington, D.C. 20460

This is an opportunity to be involved in the decision process and be part of the official record.



open for public comment. The EPA is especially anxious to have responses from public officials. Is motorcycle noise a problem in your community? Does the proposed EPA regulation complement your own local enforcement program? Do you need additional assistance from the EPA? Use the enclosed card to comment on the motorcycle noise regulation and to request noise information. Letters are welcome and

The agency is strongly committed to involving local officials and the American public in its rule making process. Now is the time to help the EPA design a viable federal program to answer your needs. To be successful, a motorcycle noise control program must be supported by interested state and local agencies. Whether you are for or against the regulation the EPA wants to know what you think. □

Is motorcycle noise a problem in your community?

yes

no

Will EPA's program help? Please comment.

Send me more information on the motorcycle regulation
on noise or both

Please put return address on front of card.



US—EPA
Noise Office—AW471
401 M Street, SW
Washington, D.C. 20460

At the 1978 Congressional City Conference

Local Economic Development, Those Pesky States, and Waiting for Carter's Plan

NLC President Tom Moody



Commerce Secretary Juanita Kreps

For the 1,900 local officials who flocked to Washington, D.C., in March for NLC's Annual Congressional-Cities Conference, there was no escape from the prevailing sense of waiting for President Carter's national urban policy.

Officials attending the three days of workshops and speeches listened to administration speakers, members of Congress, and agency representatives and hoped to glean something that might give a sneak preview of the policy that shortly would affect them and their cities. (The policy was released three weeks after the conference ended.)

Administration speakers used a new buzz word, "urban policy dialogue" and made it clear that all considerations still were subject to review. But local officials left Washington feeling that the federal government is looking to them for well-defined, long-term local economic strategies, more private-sector involvement, increased coordination between state and local governments, and metropolitan and regional planning.

The year-long turf clash between Commerce and Housing and Urban Development (HUD) over economic development of cities looked like it was coming to a head at the conference. Robert Hall, assistant secretary for the Economic Development Administration at Commerce, and Robert Embry, assistant

secretary for Community Planning and Development at HUD, appeared together with other panelists in a workshop billed as the place where Hall and Embry would exchange olive branches if not bury the hatchet. But shortly after Hall opened the workshop by saying, "The lion and the lamb can indeed lie down together," he left.

Administration speakers warned local officials at the conference that structural unemployment, involving the unskilled and undereducated who don't get hired even when the economy booms, could aggravate the inflation rate and hurt city budgets.

Inflation, now a little over 6 percent but ready to rise, ranked highest among economic development considerations at the convention. To help nurture steady economic growth, the federal spending portion of the gross national product (GNP—the total value of goods and services produced each year, now topping the \$2 trillion mark) is set to drop from 23 percent in fiscal year '78 (which ends this October) to 21 percent by fiscal year '81 as private sector involvement increases.

In many central cities, structural unemployment of youths aged sixteen to twenty-four, particularly in black and Hispanic communities, exceeds 40 percent, economists estimate. By contrast,

unemployment levels of white and black men, age twenty-five to fifty-five, are approximately 3 and 9 percent respectively. The discrepancy happens mainly because businesses prefer hiring white men ages twenty-five to fifty-five. During an economic upturn, businesses don't expand their hiring to include the reservoir of structurally unemployed, but continue to recruit labor in the twenty-five to fifty-five age group. This acts as a bottleneck in the labor supply, thus bidding up the price of labor, which in turn spirals inflation upward.

City officials were offered three suggestions: improve their local job training programs, rely less on public service jobs as a stopgap solution to unemployment, and hustle more private-sector employment.

Representative Robert N. Giaimo (D-Conn.), chairman of the House Budget Committee, cautioned in a speech at the opening general session that if some of the spending estimates for the president's proposed fiscal year '79 budget are understated, the budget deficit could be nudged from its proposed level of \$60 billion to \$70 billion. In light of the mounting deficit, there was more responsibility for city officials to establish their priorities. "Without your priorities spelled out clearly," Giaimo said, "the efforts of those in Congress to

HEW Secretary Joseph Califano



Presidential Adviser
Jack Watson



Presidential Adviser
Charles Schultze



Savannah Mayor
John Rousakis

help areas will have little hope of success."

While the conference brought local elected officials together with representatives of the administration, Congress, and government agencies, the role of the state took on the dimensions of an off-stage character. Eventually, nearly everybody talked about the relationship between states and localities.

James T. McIntyre, Jr., director of the Office of Management and Budget, talked about a "Partnership in Development" approach. Foreshadowing the theme of the Carter urban program, he said this approach would be one in which "the federal government is only one of a number of partners in development and has a responsibility to assist only those willing to make a sincere effort to help themselves."

Bert Carp, deputy director of the White House Domestic Council, suggested that local officials work for a "concept of partnership" among federal and state governments as well as private interests and voluntary organizations.

"There cannot be a national urban policy that is exclusively federal," NLC First Vice President John Rousakis, mayor of Savannah, Ga., said in his remarks closing the conference. "Anything that the federal government can do to encourage the states to work in partnership should be applauded."

Two other speakers, Gar Alperovitz and Norton Long, suggested in workshops that the city should be considered the foundation for meeting national goals.

Alperovitz, co-director of the Exploratory Project for Economic Alternatives, based in Washington, D.C., recommended beginning with cities and working up nationally by applying the 4 percent unemployment goal of the Humphrey-Hawkins Bill at the local level rather than national level. "If we begin to think about full employment from the community point of view," he said, "then groups that often fight each other might form new alliances—labor and management, taxpayers and the government."

Long, a senior fellow at the Woodrow Wilson International Center for Scholars, also in Washington, D.C., pointed out that the federal government has attempted a national economic policy but no local policy. He said the federal government "doesn't see the city as having an economy that needs to recover." Yet cities are "not a separate world," he said, adding that it could be time for "pushing up from what makes sense at the local level to what makes sense at the national level."

Addressing the problem of regionalism, Representative Louis Stokes (D-Ohio), member of the House State

and Local Government Task Force, criticized the proposed capital investment incentives for new industrial and utility structures for favoring construction of firms in southern states. "My feeling is that this proposal is both anti-city and pro-sunbelt region," he said. Private investment would then be encouraged to flow to sunbelt states like Texas, Georgia, Alabama, and South Carolina, he said.

Senator Richard G. Lugar (R-Ind.), former president of the National League of Cities and mayor of Indianapolis, predicted more control of local expenditures of federal money. He pointed to findings recently released by the Advisory Council on Intergovernmental Relations that the percentages of federal funds spent by cities have increased from 1.1 percent in 1957 to 5.2 percent in 1967 to 47.5 percent in 1978. With the added federal revenues come more restrictions such as environmental guidelines and requirements for citizen participation.

"The impact of the federal government on cities is probably at an overwhelming point," he said. "A mayor or other city official may find it overwhelming to turn this around." He said city officials should work for national incentives that permit local freedom. He recommended that there be a Council of Urban Advisors that would have a few highly visible participants. □

NLC Responds To President's Invitation To Partnership

President Carter's urban policy announcement on March 27, 1978, launched a "New Partnership" involving government at all levels, the private sector, neighborhood associations and volunteer groups. "I intend to provide the leadership," he said. "But federal efforts alone will never be enough. Are you willing to help?"

Following is NLC's response, drafted the next day by thirty local officials who the president invited to the White House to hear his proposals.

The National League of Cities, representing some 15,000 cities throughout the nation, welcomes and applauds President Carter's urban policy message. This announcement is of great importance and tremendous potential. We view this initiative as a major step toward the goal for which we have worked over the past several years: a national policy of urban conservation. NLC and its member cities therefore accept the president's invitation to join in a new partnership among all levels of government, voluntary groups, and the private sector devoted to conserving and improving America's cities.

The president's proposals make clear a commitment to bring all of the relevant capacities of the federal government to bear on the problems of cities. The Carter administration evidently understands that cities have often been the victims of inadvertent, but nonetheless destructive, impacts from federal actions. The accumulation of these inadvertent impacts—from the tax system, from high-

way programs, and from other policies—has constituted a powerfully anti-urban federal bias that often outweighed the effects of explicitly urban programs. The administration acknowledges this and accepts the responsibility for reversing these inadvertent impacts. NLC has recommended such action, and we strongly support the president in this effort. We also endorse and commend the administration's effort, in the current proposals, to give a more comprehensive character to the urban policy by recommending, in existing programs, changes that will help cities.

Within this comprehensive approach, the president has correctly chosen to emphasize the critical issues of jobs, economic development, and urban fiscal stability, including assistance to minority enterprise. These are areas which NLC assigned greatest importance in our own priorities for 1978. More than being delivery mechanisms for federal programs, municipal governments are held responsible by their residents for governing and for solving local problems. The president's initiatives will provide cities with additional tools for achieving greater self-sufficiency. NLC endorses the president's proposals for an urban investment tax credit and a targeted employment tax credit. We support the proposed public works program, both for its labor intensity and also for its focus on the critical need for maintenance and rehabilitation. NLC also supports the city additions to the Urban Development Action Grant and Eco-

omic Development Administration budgets and the concept of a national development bank. And the cities under greatest fiscal stress will benefit greatly from aid proposed in the supplementary fiscal assistance program. These initiatives make clear the administration's commitment to provide targeted responses to particular problems while continuing the general support provided by community development block grants and general revenue sharing. Beyond the spending programs, we are pleased to see the president propose to make a positive impact on cities through federal procurement and facility siting policies.

We commend the administration's proposals to establish several means for a permanent and continuing urban consciousness within American domestic policy. The initiation of the Urban and Regional Policy Group and the openness of their deliberations are important precedents. NLC endorses the proposed community impact analysis process for all federal actions. Similarly we support the administration's commitment to a responsible human rights consciousness. We endorse the president's efforts to coordinate civil rights enforcement, and we applaud his minority set-aside initiatives.

Finally, NLC has long called for a major on-going effort to assure coordination of federal policies and programs both at the federal and local levels. We applaud the president's initiative in this area. We urge the president, however, to consider NLC's proposal to create a council of urban advisors as a strong focal point for the continuing analysis of urban conditions, the evaluation of urban impacts and the coordination of federal programs that affect cities.

As President Carter indicated, there are still many important details of his proposals to be worked out, both within the administration and with the Con-

gress. The Congress will play a key role in the ability of the administration to achieve its urban policy initiatives. Therefore, we call upon the Congress to give early consideration and a prompt response to the president's urban policy legislative initiatives.

The new partnership that the president has proposed is not intended just to achieve the policy and program objectives identified in his address. It is also intended to establish and maintain a vigorous urban awareness in our nation, and to turn that awareness to the conserva-

tion and improvement of our cities and of the quality of urban life for our citizens. Thus, this partnership presents us with a great challenge. On behalf of America's cities, the National League of Cities accepts this challenge and looks forward to this partnership. □

What Went into the Carter Policy

President Carter's national urban policy was not easily or gracefully developed. In the year-long process, there were noticeable clashes between some of the six departments in the inter-departmental Urban and Regional Policy Group (URPG) formed in March, 1977, to make recommendations for the policy. Some departments chose to use the formation of the policy as the vehicle to expand their jurisdictions, particularly over economic development.

Two URPG "working staff drafts" submitted last November and December didn't survive till the end of the year in the White House. Their suggestion for the federal government to take a second look at most of its programs and re-direct them to help "cities and people in distress" set off grumbling that frostbelt cities would gain at the expense of sunbelt cities.

Then late last year the president sent the policy makers a terse, handwritten note which instructed them to "include all cities."

White House chief domestic advisor Stuart E. Eizenstat didn't sign the second draft, an extensive revision of the first, since it lacked an apparent theme and basic policy framework. President Carter rejected the second draft because it offered hefty money requests, totalling about \$10 billion at one point, without determining, he said, what the policy should be.

Even before the White House dismissed URPG's proposals, criticisms were levied at the drafts. Commerce Undersecretary Sidney Harman sent a memo in December to Housing and Urban Development Secretary Patricia Harris, chairperson of URPG, that said the drafts skirted the relationship between state policies and city problems and weren't clear in recognizing the need for private job creation with long-term economic development to reverse economic decline. Harman said the draft proposals had no priorities.

Senator Edmund S. Muskie (D-Maine) also sent President Carter a memo in December. Muskie said the new urban policy shouldn't become one of massive expenditure programs. Muskie's paper, prepared by the Senate Intergovernmental Relations Subcommittee staff, said that while federal funds should be directed to help the twenty-five to fifty cities facing immediate fiscal crises, revenue sharing and Comprehensive Employment and Training Act (CETA) are two major federal programs in which local performances should be improved. Muskie's memo suggested that state and local governments should consider spending more of their share of federal funds for projects in distressed areas instead of projects for communities that are

in better shape.

Muskie's recommendation for more state involvement in helping cities meet their urban needs got a boost from Massachusetts Governor Michael Dukakis, chairman of the urban policy task force at the National Governors' Association. Dukakis wrote December 26 in *The Washington Post* that states should find new ways to assume more responsibility for their cities' comprehensive growth strategies. Federal incentives could spur such efforts, he said.

The White House Office of Intergovernmental Affairs adopted much of Dukakis's recommendation. Their suggestion, made to URPG in February, was to give more grants-in-aid to states helping their cities and to take away revenue sharing money from states that don't help.

Health, Education and Welfare Secretary Joseph Califano also submitted a memorandum in January to Harris and Eizenstat that pressed for not just one strategy but for several to tailor case-by-case approaches to the diverse problems facing urban and rural communities.

The two short-lived URPG drafts, however, didn't disappear without a trace. Some of the points surfaced in a memo that Harris and Eizenstat submitted January 9 to the president. The memo said the president's urban program should have "concern for the needs of all cities and metropolitan areas," while acknowledging that some cities have "more intense problems" than others.

In addition, the memo said, private groups and federal funds should be augmented by financing from state and local governments and private businesses.

President Carter reportedly approved fourteen principles from the Harris-Eizenstat memo which formed a basis for the policy. On March 20, the URPG submitted another set of policy recommendations to the White House. Four days later, Carter decided to eliminate four programs, valued at \$1.5 billion, which his aides considered important. Some sources say this caused such a frenzied reaction in the White House that "people began to jump out of windows and call their mothers at home." But Eizenstat, after consulting with Vice President Mondale and Chief Political Aide Hamilton Jordan, presented the main arguments that convinced President Carter to retain the programs.

At 4.00 p.m., April 27, a year and six days after Executive Order 11296 created the URPG to help formulate the national urban policy, President Carter presented his policy in the East Room at the White House to a delegation that included mayors and neighborhood leaders, forty leaders of NLC among them. □

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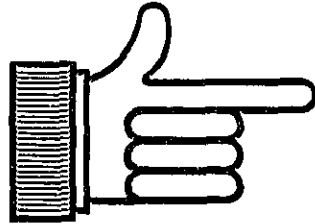
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Air Pollution Control Association: Annual convention, Albert Thomas Convention Center, Houston, June 25-29.

American Water Works Association: Annual Conference, Atlantic City, June 25-30.

Association of Washington Cities: Annual convention, Yakima, June 13-16.

Building Officials and Code Administrators International, Inc.: Annual convention, Marc Plaza Hotel, Milwaukee, June 4-9.

Colorado Municipal League: Annual convention, Four Seasons Motor Inn, Colorado Springs, June 21-23.

Federation of Canadian Municipalities: Annual conference, Edmonton Plaza Hotel, Edmonton, Alberta, Canada, June 4-8.

Georgia Municipal Association: Annual convention, Savannah Civic Center, Savannah, June 25-29.

Institutional and Municipal Parking Congress: Annual convention, Fairmont Roosevelt Hotel, New Orleans, June 11-14.

League of Minnesota Cities: Annual conference, Radisson Hotel, Downtown, Minneapolis, June 7-9.

Maryland Municipal League: Annual convention, Convention Hall, Ocean City, June 18-20.

Mississippi Municipal Association: Biloxi Hilton and Sheraton, Biloxi, June 28-30.

Municipal Association of South Carolina: Annual meeting, Landmark Resort Hotel, Myrtle Beach, June 8-10.

Editorial from page 2

the White House. If our staff is required to register, why shouldn't President Carter's chief staff lobbyist Frank Moore, the assistant secretaries for congressional relations of the various departments, the admirals and colonels in the military establishment, the Congressional Rural Caucus, or the Congressional Black Caucus also be required to register?

The House Judiciary Committee has reported this bill favorably and it probably will be on the floor for House action this month. (The Senate committee is still considering its version.) I strongly urge that you tell your congressmen and senators that you want our national organizations exempted from this legislation on two grounds. First, that they are your instrumentalities and representatives in Washington speaking on your behalf. Second, that they are at least as deeply committed to the public interest as are the employees of Congress and the administration.

Tom Moody, Mayor of Columbus, Ohio
President, National League of Cities

National Association of Tax Administrators: Annual convention, Sheraton Boston, Boston, June 18-22.

National Crime Prevention Association: Annual conference, Sheraton Ritz, Minneapolis, June 19-22.

Tennessee Municipal League: Annual convention, Hyatt Regency, Knoxville, June 18-21.

Wyoming Association of Municipalities: Annual convention, Sheridan Center, Sheridan, June 8-10.

JULY

American Association of School Administrators: Semiannual convention, Minneapolis, July 7-10

Association of Idaho Cities: Annual conference, Sun Valley, July 11-14.

National Association of Counties: Annual conference, Atlanta, July 15-19.

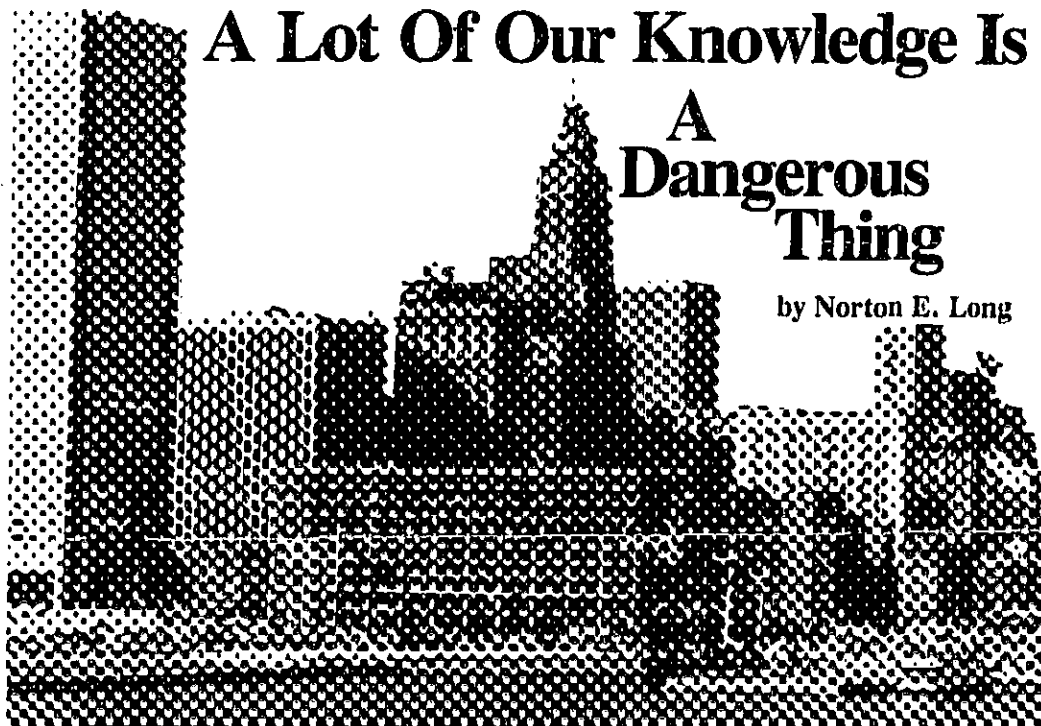
National Conference of State Legislatures: Annual meeting, Hilton Hotel, Denver, July 5-8.

National League of Cities: Regional conference (Midwest), Hyatt Regency, Indianapolis, July 7-8.

National League of Cities: Regional conference (Northeast), Park Plaza, Boston, July 21-22.

National Purchasing Institute, Inc.: Annual convention, Opryland Hotel, Nashville, July 18-23.

Sister Cities International (Town Affiliation Association of the United States, Inc.): Annual conference, Breckinridge Hotel, St. Louis, July 19-22.



A Lot Of Our Knowledge Is A Dangerous Thing

by Norton E. Long

What we don't know about cities can and does hurt us. Federal policies are largely based on national aggregates. This means our knowledge of cities is mostly the artifact of national averages representing no place in particular. Policies designed to remedy the condition of a nationally average city are like prescriptions for the cure of a nationally average person. If all persons and all cities were alike, this might make sense. But to the extent cities and persons differ in important respects—and they do—policies fail to meet the needs of the real persons and real cities they are intended to serve. Further, by lumping together many disparate cities and their conditions we make predictions and assertions that are correct nationally but wrong when applied locally. The situation is very like the prediction of the New

Year's weekend death toll from automobile accidents. It may be accurate nationally but (except for the press and the coffin makers) it is of little practical use since it tells us nothing about the causes of the widely differing accidents that make up the total: drunk driving, faulty equipment, bad highway design, hazardous weather conditions and so on. These are the things that must be known before effective policies can be designed to correct the relevant conditions that cause traffic deaths.

The same kinds of disaggregated but locally relevant data must be collected if we are to develop policies that match the problems of individual real cities.

Entitlement v. Enlightenment

Thus far the major federal concern in data collection has been with entitlement rather than that kind of enlightenment. We have been interested in statistics showing the age of housing, the percent

of poverty population, the number of long-term unemployed, indexes of fiscal strain and so forth, not as a means to understanding and solving the problems with which they are associated, but as a means of dividing federal grants among cities, suburbs, rural areas, and even states. The concern of Congress has been less with how the data might be helpful in designing effective recovery programs for city economies than with the politics of welfare and income redistribution. The overwhelming emphasis on the collection of data for purposes of determining entitlement rather than for furthering our economic understanding of the problems of cities is itself the result of policy conclusions drawn from macroeconomic doctrines that rest on existing national aggregate data and reflect their limitations. Keynesian national fiscal policy is the only game in town. In the conventional Keynesian view the national tide sweeps all the little

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city boats along with it and there is precious little cities can do to affect independently the functioning of their local economies. They can solicit transfer payments from upstream governments (and some, indeed, may excel in the grantsman game) but that's about all.

Sacred White Elephants

The state of the data and the fiscal theory associated with it dominate both national and local policy. This "national aggregate" perspective leads to locally and nationally painful results. A hotel is built in a city not because there is a demand for hotel rooms but because someone has a demand for a tax loss. The hotel is an economically rational decision for the investor, but if it overbuilds the city's hotel industry it produces a disaster in which everybody suffers excessive vacancy losses. In the national equations the hotel is an investment plus. In the local economy it is a misdirection of capital that produces an economic minus. Stimulating locally uneconomic construction generates national numbers that make the national economy look good even when the construction does not contribute to the permanent productive employment of the local population. Capital intensive investments, 90 percent money, have led in many cases to overbuilding facilities that cities have found terribly expensive to operate. Rail rapid transit, sewage treatment plants, and many other facilities have been built because of construction bait too attractive to resist despite their predictable long-term drain on the local economy. The objectives of counter-cyclical fiscal policy were assumed to be adequately served regardless of the nature of the construction it stimulated. Cities as open economies were carried along for the ride so they too had no need for data that would show the effect on their local economies the national policies produced. Why know what you can't do anything about? One very good answer is that the white elephants cities have built with this kind of money, while too sacred to kill, have become too expensive to feed.

Premiums for Ignorance

The assumption that cities were powerless to affect their fates in any significant manner has had its attractions. And

"Policies designed to remedy the condition of a nationally average city are like prescriptions for the cure of a nationally average person."



the assumption at the national level that one need look at no more than the dollar value of investment without regard to its composition and the local effects of it has likewise had its appeal. Locally, political leaders have been able to avoid the hard task of trying to make their cities competitive. Instead, they devote their energies to a federally sponsored game called grantsmanship. The national leaders have escaped the obligation of considering the kinds and effectiveness of the investments fiscal policy induced. It is almost as though there were a premium at both national and local levels for not knowing the local effects of national policy. This would be understandable if one believed that Adam Smith's unseen hand would ensure one of two things: first, that such investments are locally beneficent; or second, they are nationally beneficent regardless of how negative their local impact.

We are coming to realize that the assumptions of national and local policy don't fit the facts. Fiscal policy alone does not ensure anything like full employment for the people of our cities. In fact, its exercise is perfectly compatible

with "stagflation," that condition in which inflation increases unemployment instead of reducing it.

Keep Tabs on the Competition

Cities clearly need to develop their own economic books to keep score on the performance of their economies and direct their investments. The federal government has a great stake in helping them do it since, despite the conventional wisdom, the functioning of these microeconomies ultimately does determine the functioning of the macroeconomy of the nation. Cities particularly need to know about their competition and only the federal government can provide that information. If the Northeast gets badly out of line in regard to its labor or other controllable costs it is terribly wasteful to have to have industry migrate to the sunbelt until the Northeast becomes lean, hungry, and competitive and the sunbelt the reverse. There ought to be a better way to run a railroad even though we don't seem to have found it yet. Cities have a real stake in the Department of Commerce's developing regional accounts that may help the states understand better their own economies. When states have such an understanding it will be harder for state legislatures to treat cities as if they were mere colonies for exploitation rather than integral parts of the state's own economy.

Finally, an economic understanding of cities could begin the education of the teachers and other public employees as to the basic fact of life. The city is the goose that lays their golden eggs. If they throttle the goose they throttle themselves. If, on the other hand, they use their capacity to help build and rebuild the cities' economies they build their own futures along with those of the cities they serve. Businesses can disinvest, professionals and skilled labor can go elsewhere; but in a soft labor market the public employees are stuck with their city even when, as suburbanites, they don't realize it. The public employees are the most powerful political force in the cities, one that has an enlightened self interest in putting a shoulder to the wheel of restoring the economies of the cities. Properly led and properly educated they could become the long-term support for the long term task of getting our cities back in the ball game. □

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