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Volpe 'Confused,' Says Witness

By KAY PITTMAN BLACK
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U.S. Transportation Secretary John Volpe, who approved the I-40 expressway route through Overton Park, was termed today by a former assistant secretary of his department as "confused" about the case.

The witness, J. D. Braman, who had been mayor of Seattle for five years before serving as an assistant to Volpe from April 1969 to October 1970, was put on the stand by objectors to the route. They had finished presenting their side of the case earlier, but Chief Dist. Judge Bailey Brown gave them special permission to put Braman on the stand.

Although Volpe's deposition in the case said Braman had visited Memphis twice to check on the Overton Park route, Braman had never been to Memphis until today, he testified.

John W. Vardaman, the Washington, D.C., attorney for the objectors, said to Braman: "In the course of his deposition, Sec. Volpe referred to the Overton Park case as involving a problem with a dam and confused the case with the San Antonio case."

U.S. Atty. Thomas F. Turley and J. Alan Hanover, special counsel for the state Highway Department, objected to Vardaman's statement, calling for him to prove that Volpe had made any such statement in his deposition.

"And even if Secretary Volpe did make such a statement, your honor," said Hanover, "it's not relevant because he was recalling things months, many months, after making his decision (to go through the park) and he pointed out that he had to make many such decisions every day."

Judge Brown replied, "Well, you rely on Volpe's statement in his deposition to prove your point that



—Press-Scimitar Staff Photo by Tom Barber

CRITICIZES TRANSPORTATION HEAD

J. D. Braman, right, former assistant secretary of the U.S. Department of Transportation, today testified that Transportation Secretary John Volpe (who approved the I-40 expressway through Overton Park) was "confused." At left is John W. Vardaman, Washington, D.C., attorney for those objecting to the route through the park.

Volpe and everybody remembered a conference where they all got down on the floor and looked over a map of the proposed route through Overton Park as well as all of the alternatives, including the L & N railroad alternative."

Vardaman then read from Volpe's deposition, where Volpe discussed the "possibility of raising the dam." Vardaman contended that since there is no dam in Overton Park and had never been that Volpe confused the two cases (Overton Park and San Antonio.

Braman then told Judge Brown that he would like to explain Secretary Volpe to the court and praised Volpe highly as a "dedicated public official."

Braman said, "You have

to understand Secretary Volpe. He is a highly nervous man who takes things home to read until 2 or 3 o'clock in the morning and gets to the office at 7 a.m. Our problem was finding time to get Secretary Volpe to confer with us. I'm confident he was confused. I don't want to impeach his testimony, but, for instance, in his deposition Secretary Volpe states that I visited Memphis two or three times to look over Overton Park. I never did. Today is my first visit to Memphis."

Braman added, "I'm sure he just assumed I visited Memphis because I visited most places where we had controversies, like New Orleans, San Antonio and the Miami jetport."

Braman said that if he had been involved in the Overton

Park decision, he would have "opposed the route (though Overton Park) vigorously."

"If you compute the value of that land to future generations, and add that figure to

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(As Braman's asst., as he was Volpe's)

Former Assistant to Volpe Opposes Park X-Way Route

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the cost of the project, you would find that it's the most expensive way to go," Braman said.

Braman said he did not oppose the route to Volpe because he thought such opposition had been "foreclosed" by the decision of

Volpe's predecessor, Secretary Alan Boyd.

Braman said Volpe never made a determination whether the route through the central city park was the "only feasible and prudent" one, as required by the parklands preservation statute.

"We never operated on the theory that the determination of another route was

open to us," said Braman. "We operated under the theory that . . . the determination of the only feasible and prudent route had already been made and committed by Secretary Boyd."

Braman said he thought the only thing that he and Volpe had left to determine was "second part of the statute — whether or not all had been done to minimize harm to the park" was being followed.