

D.C. Freeway Revolt and the Coming of Metro

Part 3 The Citizens' Revolt

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Part 3 The Citizens' Revolt

From the 1940s through the early 1960s, the District's freeway plans were a source of battle among agencies. Citizen associations kept the pressure on the agencies to settle their debates, with many associations fighting to block the planned freeways.

By the end of the 1950s, citizen protests against urban Interstates were taking place around the country. The objections to each freeway were unique to the location, but had much in common from city to city. Homeowners did not want to lose their homes or neighborhoods. Business owners did not want to lose their livelihood. African Americans, still typically called Negroes, fought against efforts to divide their neighborhoods with freeways. In a period before Federal highway law authorized the "just compensation" called for in the Fifth Amendment of the Constitution, protesters hardened in their opposition.

How citizens protested differed based on geographic and income levels, as illustrated in Washington. George Lardner, Jr., in his new *Washington Post* "Potomac Watch" column, described the difference in December 1964 by describing citizen protesters in upper income northwest and lower income northeast Washington neighborhoods:

In the Northwest, protectors of the status quo use phone calls, first names, and chats at the country club.

On the other side of town, they use picket signs, jeers and letters of protest.

[Lardner, George, Jr., "The Game in Upper Northwest," Potomac Watch, *The Washington Post and Times Herald*, December 28, 1964; the column was originally called "Watch on the Potomac."]

(*Post* editors had asked staff reporter Lardner, who covered national and local topics, to write a 5-day-a-week column on urban affairs involving the District, Maryland, and Virginia. His columns began on December 21, 1964, and provided interesting sidelights and insights into the news of the day, and will used for that purpose in this history of the Washington area's transportation battles. The first column, to be discussed later, was about the North-Central Freeway. Lardner continued the column through January 1966, but finding it too confining in subject matter, returned to general reporting. The *Post* continued the column with other reporters.]

Roadbuilders fought back with public relations campaigns on the theory that if people understood the benefits they would gain when the urban Interstate networks were complete, supporters would drown out the critics. However, the growth of the environmental movement accelerated after publication of Rachel Carson's *Silent Spring* (1962), in which the author demonstrated how human action, such as deploying chemicals, affected the environment. The revitalized movement, previously focused on conservation, gave critics a new front to oppose highways. At the same time, the Civil Rights Movement was shaking the established order, increasing opposition to freeways through minority neighborhoods, and providing a template for anti-

highway protests. Soon, protests against the Viet Nam War, added to the growing acceptance of fighting governments – and the view they were not telling the truth.

In the view of the impassioned citizens and other critics, freeways could not be improved. They had to be stopped. The ideal alternative was rail rapid transit focused on subways.

In the District, with its built-in network of official critics, the battles continued as public objections escalated.

The Pressure of a Deadline

President Eisenhower had proposed a program based on issuing bonds to pay upfront for completion of the Interstate System in 10 years. Congress, opting to employ highway user tax revenue credited to the new Highway Trust Fund on a pay-as-you-go basis, authorized Interstate construction funds through FY 1969. Those final funds would remain available through FY 1971 – the intended final year of the program. The goal was to apportion the funds on a needs basis to complete the Interstate System in every State around the same time at program's end.

The Federal-Aid Highway Act of 1961 authorized additional funds for Interstate construction through FY 1971, with the funds to remain available for expenditure through FY 1972. As a result, BPR and State highway officials were well aware that 1972 was the program's deadline.

Administrator Whitton made the deadline clear to State highway officials during his address to the annual meeting of AASHO in December 1962. The half-way point in the Interstate program, he said, was 1964. Therefore, he challenged the assembled State highway officials to get at least 50 percent of the 41,000-mile Interstate System open by the end of that year. With 13,100 miles open (including 2,300 miles of toll facilities incorporated into the System) and 4,900 miles under construction, he considered the 50-percent completion goal attainable.

Whitton urged State highway officials to focus on “those projects that will link up continuous, long route sections, especially those connecting the larger cities.” Those segments not only would make big contributions to achieving the 50-percent goal by the end of 1964, but would “best demonstrate to the public the benefits of the system,” including time saved and improved safety.

Whitton made the point again when he addressed AASHO in October 1963:

We have a task before us—a task which is definite in its scope—a task which lends itself to orderly accomplishment if approached under an orderly program I believe every State can do it. But those States which fail to finish on time may well face what in effect amounts to a financial penalty. If only the ABC Federal-aid program continues after 1972 [referring to funds for the Federal-aid primary, secondary, and urban systems], the uncompleted parts of the Interstate System will have to be finished with 50-50 matching Federal-aid, instead of 90-10.

Even if the Congress provides for some sort of extension of the Interstate System program after 1972, it may well be at less than the 90-10 matching ratio. It might be 70-30, or 60-

40 as it was [for Interstate projects] just before the 1956 Act. Certainly it is quite possible that Congress may not see fit again to offer 90 percent Federal aid. So work not completed under the existing law may have to be built under a program with less favorable financing arrangements at the State level. The best insurance against this happening, of course, is to finish this program on schedule.

Whitton estimated that the final construction contracts must be awarded during 1970, at the latest, to ensure 90-percent reimbursement as late as 1972.

As Whitton had testified during congressional hearings in 1963, the District did not have any “continuous, long route sections.” Its nearly 29 miles of designated Interstates included only short sections. As of the end of 1963, the status of the District’s Interstate network was:

- Engineering or right-of-way: 3.3 miles
- Under construction: 5.6 miles
- Improved to standards adequate for present traffic: 1.9 miles
- Completed to full or acceptable standards: 2.4 miles
- Preliminary status or not yet in progress: 15.4 miles.

[“Improvement Status of System Mileage as of December 31, 1963,” Table I, Quarterly Report on the Federal-Aid Highway Program (as of December 31, 1963), news release, Bureau of Public Roads (BPR 64-9), February 7, 1964]

The city’s longest route, I-95, was 8.9 miles long, but the Southwest Freeway was the only open segment. The Southwest Freeway was instructive. As part of redevelopment of the southwest quadrant, the District had removed longstanding lower-income, minority neighborhoods. The mass clearance left room for the Southwest Freeway without protests from citizens who already had been uprooted or businesses that had been torn down.

Much of the mileage that was not open or in an active status was controversial. The District had no choice but to plan on building this mileage in the midst of populated, close-knit District neighborhoods that did not want to be disrupted. Nevertheless, these segments, too, were subject to the completion date specified by Congress.

Farewell to Harold L. Aitken

On November 19, 1963, Harold L. Aitken announced his plan to retire on December 20:

A person in public life with a job like mine inevitably meets with resistance from various groups and I consider that it would be in the best interest of the District to retire and let a new man come in. I hope, for the sake of the city, it can resolve the transportation situation because if it doesn’t it is going to be in trouble.

Aitken was 55 years old, having met the retirement age in May, but he could have remained in the position for many years. (The mandatory retirement age was 70.) He said, however, that now was “an opportune time” to step down. He did not say so, but observers in the District Building and reporters interpreted his decision as being a result of frustration. He told reporters,

“It’s just a combination of things. At best, this job isn’t an easy one in terms of winning friends and accomplishing objectives.”

Engineer Commissioner Duke called Aitken’s departure “a great loss to the District.” He added, “He is a very strong, experienced man. I’m wondering how we’re going to fill the gap.” He had not yet begun the search for a new Director. [Schuette, Paul A., “Aitken Resigns as Chief of D.C. Highway Dept.,” *The Washington Post and Times Herald*, November 20, 1963; “Aitken Plans to Retire As D.C. Highway Chief,” *The Evening Star*, November 19, 1963]

A *Star* editorial referred to Aitken as “an able, conscientious highway director” and said his loss at this critical time “is regrettable.” The editorial reflected the widespread view of why Aitken was retiring:

Obviously he is discouraged . . . by the series of political stalls and setbacks which have brought the freeway construction program to a virtual standstill. And we suspect, although he had nothing to say about it, that the final straw was the recent agreement by the President’s Policy Advisory Committee on the Three Sisters Bridge and the inner loop freeway.

The editorial acknowledged that the goal of the advisory committee was “to overcome political objections, and to minimize the disruptive impact of the highways.” However, studying the new location for the bridge, between Key Bridge and Roosevelt Island, meant further delay. This did not mean “the highway program is going down the drain”:

If the modifications do not pan out, however, these projects will still have to be built, perhaps as they were proposed initially by the Highway Department This is the point on which the Commissioners, as the policy makers of the city, must not waver.

More than ever, they will “need a strong highway director on whose judgment they can rely to make the right decisions.” [“Mr. Aitken Departs,” *The Sunday Star*, November 24, 1963]

Aitken left office on December 7, having taken “terminal leave” until his official resignation on December 20. Jack Eisen visited Aitken in his office:

Aitken plucked a collection of plaques and awards from the walls of his office, put a few final papers in the out-basket of his uncluttered desk and departed Thursday on terminal leave before taking a new, as-yet-unannounced job.

His friends, Eisen wrote, were not surprised by his departure:

They report that events of the past several months pushed him beyond the boiling point. Some break seemed inevitable.

The big explosion was over freeways and rapid transit. Aitken, who believes with an evangelistic fervor in the benefits of urban freeways, was indignant at suggestions that roads be curtailed to benefit rail rapid transit patronage.

He had little patience with the generalization that freeways, being disruptive, are bad. Failure to build modern roads, he feels, would bring economic stagnation to Washington as surely as building a wall around it.

Like many observers, he was concerned by how the city was governed. Authority and responsibility were scattered among agencies that answered only to the President, who had other things on his mind for the most part:

Aitken's friends say it was not restraints as such that triggered his ultimate frustration, but the uncertainties and interminable bickering invited by the labyrinthine organization.

Of course, he had critics:

Aitken's critics reply that the retiring highway director had too great a sense of his own rightness, was given too frequently to seeking speedy approval for fragments of a program without fitting these into a meaningful pattern.

The pending issues might have been resolved if not for NCTA's decision to oppose the Three Sisters Bridge and downgrade the North Leg of the Inner Loop Freeway:

But NCTA found firm friends at the White House. The late President Kennedy's endorsement of its transit program and his order that the disputed interstate links be restudied muffled official criticism. A new District Engineer Commissioner, Brig. Gen. Charles M. Duke, was reportedly given clear orders on the subject.

Duke's first major task was to preside over sessions of the special, top-level restudy panel. It recommended a bridge in a new location and the maximum possible use of tunnels for the Inner Loop's North Leg.

His friends say Aitken felt that the new bridge scheme created more problems than it solved, and that the panel's inconclusive language on the North Leg was an invitation to protracted bickering.

A week later, he announced his resignation. "The job will be hard to fill." The District lost "a skilled highway builder, a precise engineer, a hard-working department administrator":

What is needed is someone who is all these things—and, unlike Aitken, a diplomat, a political operative and an image-maker as well. [Eisen, Jack, "A Man and His Frustration," *The Washington Post and Times Herald*, December 8, 1963]

Aitken's deputy, 57-year old Thomas F. Airis, was named Acting Director of the District Highway and Traffic Department.

On February 14, General Duke announced that after considering 76 applicants, the Board of Commissioners had chosen Airis to be Director. The commissioners "place great importance on getting along with other agencies," and they concluded that the soft-spoken Airis was "exceptionally skillful" in that regard. As acting coordinator for District mobilization in snow

emergencies, Airis had experienced three “pretty good snows” to deal with. “He’s done such a fabulous job,” General Duke said with a smile, “I kind of hate to take it away from him.

Airis, a native of Eau Clair, Wisconsin, graduated with a civil engineering degree from the University of Wisconsin. In 1929, he became a civilian employee of the U.S. Army Corps of Engineers in Detroit, but was called to active duty with the Corps in World War II and the Korean War. He met his wife, Marcia Morse, while in charge of rehabilitating the road network of northern Greece. He, his wife, and three children lived at 10119 Gary Road in Potomac, Maryland.

After working on the U.S. section of the St. Lawrence Seaway, Airis joined the District’s Department of Highways and Traffic as deputy director in 1959. Like Aitken, Airis was pro-highway, but in an interview after the announcement of his promotion to Director, he said he believed strongly in comprehensive transportation planning. Bus usage should be encouraged, he said, and as for rail transit, “I don’t think that’s up to me.” The District’s highway program was “predicated on a mass transit program, and if there isn’t going to be a rapid transit program, something’s got to be done about beefing up in other quarters.” [Flor, Lee, “Airis Named Director of District Highways,” *The Evening Star*, February 14, 1963; Eisen, Jack, “Airis Promoted to Highway Chief; Backs Over-All Transit Program,” *The Washington Post and Times Herald*, February 15, 1964]

On April 8, Airis announced that Richard Dana Wallace would be the new Deputy Director. Wallace, who had been chief of construction and maintenance since 1959, was a native of the District, having graduated from Western High School and received a civil engineering degree from George Washington University in 1941. He lived in McLean, Virginia, at 205 Guilford Court. [“Road Director Names Deputy,” *The Washington Post and Times Herald*, April 9, 1964]

A New President

The presidential election year of 1964 had begun on a promising note for those hoping the freeway and rail transit battles could finally be resolved. On January 21, 1964, President Johnson sent his annual message to Congress on the District of Columbia’s budget. The section on transportation began:

The Administration and the Congress have been wrestling with the transportation problems of the District for many years. While some progress has been made, I hope for further progress during the coming year.

A major barrier had been surmounted, he said, when the District Commissioners accepted the Policy Advisory Committee’s November 1963 recommendations for “an additional central city Potomac River crossing and an interstate connection making maximum use of tunneling across the north central part of the District.” President Kennedy had accepted the recommendations “and they likewise have my approval.”

While location and design remained to be worked out, the breakthrough justified inclusion of funds in the budget for “major additional segments of the urgently needed Interstate System in the District.” The need was, indeed, pressing:

The financing of the construction of the Interstate System requires immediate attention. The System must be completed by 1972.

To meet growing needs, President Johnson proposed a loan authorization for the District’s highway fund of \$35 million in addition to the \$50.2 million already authorized. He also supported the District commissioners’ plan to request approval of a penny increase in the city’s 6-cent gasoline tax to provide \$2 million annually, “a sum sufficient to retire the \$35 million loan in 30 years.”

The FY 1965 proposal called for a District highway construction and planning budget of \$14.5 million. With a Federal matching share of \$48.4 million, the District’s highway construction outlay would be \$62.9 million. The budget included funds for:

- Planning to put 14th Street in a tunnel or depressed expressway under the National Mall – District share: \$300,000/Federal share: \$300,000.
- Planning to replace the superstructure of the 14th Street Bridge to handle reversible lanes on Shirley Highway - \$30,000/\$270,000.
- West section, North Leg Freeway - \$597,000/\$5,373,000.
- Central section, North Leg Freeway - \$80,000/\$720,000.
- East section, North Leg Freeway - \$423,000/\$3,807,000.
- Center Leg Freeway - \$1,450,000/\$13,050,000.
- North-Central Freeway - \$300,000/\$2,700,000.
- Georgetown-Rosslyn bridge - \$250,000/\$2,250,000.
- East Leg Freeway - \$1,000,000/\$9,000,000.
- 9th Street Expressway - \$2,200,000/\$3,000,000.
- Intermediate Loop - \$1,700,000/\$1,700,000.
- 11th Street Bridge - \$165,000/\$1,465,000.

After more than 10 years of study, President Johnson said, the problems of providing rail rapid transit had not yet been resolved. After all this study, what was clear was that “such a system is a critical necessity if intolerable traffic congestion is to be avoided.” He was certain that Congress agreed:

The recent recommittal of H.R. 8929 to the House District Committee demands a redoubling of efforts to find an acceptable program which will permit a transit development plan to proceed. I have instructed the National Capital Transportation Agency, together with other Federal agencies, to work with affected local jurisdictions to that end. I am confident that the Congress agrees on the need, and I trust that an acceptable program can be formulated at this session of the Congress.

His message concluded:

A comprehensive transportation system must, of course, be the result of joint efforts between the District and its neighboring jurisdictions. Indeed, the Congress has conditioned continuing Federal assistance in highway development in urban areas after mid-1965 on the existence of such cooperation. Many other local problems, too, extend beyond the District's boundaries, just as many problems in the suburbs cannot efficiently and economically be solved without the full cooperation of the District. I intend to give my full support to the development of cooperative efforts to meet these regional problems and to provide for the orderly development of the National Capital Region.

While encouraging Congress to advance rapid transit legislation, President Johnson proposed cutting NCTA's budget in half. Officials of NCTA could not say, initially, how the cut would affect the agency's staff of about 60. [Flor, Lee, "Johnson Indorses Rapid Transit Here," *The Evening Star*, January 21, 1964; "President Backs Gasoline Tax Boost," *The Washington Post and Times Herald*, January 22, 1964]

(President Johnson also called for construction of a building for the Housing and Home Finance Agency, which at the time was scattered among several buildings. The building would be located at 7th and D Streets in the redeveloped southwest quadrant of the city. The President also recommended creation of a Department of Housing and Community Development, his version of President Kennedy's Department of Urban Affairs and Housing, an idea that Congress had not supported.

(On September 9, 1965, President Johnson signed the Department of Housing and Urban Development Act, creating the new department. It would move into the building the President had recommended for the housing agency at 451 Seventh Street, SW., across the street from the privately owned building that would be the rented headquarters of the U.S. Department of Transportation by the end of the decade. ["Johnson Asks Better, Fewer New Buildings," *The Evening Star*, January 21, 1964; Horner, Garnett D., "President Asks Cabinet Post For Housing," *The Evening Star*, January 21, 1964])

On April 14, 1964, Administrator Whitton confirmed the following District routes and descriptions for ICE purposes:

66 – From the District of Columbia-Virginia line eastward via the Theodore Roosevelt Bridge crossing of the Potomac River to a junction with FAI Route 695, thence northward and eastward to a junction with FAI 95.

70S – From the District of Columbia-Maryland line to a junction with FAI Route 95.

95 – From the District of Columbia-Virginia line at the south end of the 14th Street Bridges northeasterly to the District of Columbia-Maryland line enroute to Baltimore.

266 – From the District of Columbia-Virginia line in the vicinity of Key Bridge to a junction with FAI 66.

295 – From the District of Columbia-Maryland line in the vicinity of Oxon Run northward to a junction with FAI Route 695, thence easterly and northerly to a junction with FAI Route 95.

495 – On the Woodrow Wilson Bridge from the District of Columbia-Virginia line to the District of Columbia-Maryland line.

695 – South leg of Inner Belt from FAI Route 66 at the east end of the Theodore Roosevelt Bridge, to FAI Route 295 in the vicinity of 11th Street, SE., excluding the portion coincident with FAI Route 95.

This list adopted the routing of I-70S on the North-Central Freeway from the District line to the link with I-95 (Northeast Expressway). The two routes would follow the same freeway from the link to the Inner Loop.

By August 1, 1964, the District had to turn in an estimate of the cost to complete the remaining mileage for BPR's 1965 ICE. BPR could drop routes it did not believe could be completed on time. District officials, therefore, had to convince BPR to leave the controversial segments in the ICE, and then had to overcome the many obstacles to beginning construction by 1969.

Chairman Natcher's Concerns About Decisionmaking

Chairman Natcher had been concerned by NCTA's November 1, 1962, report to President Kennedy. The routes NCTA wanted to abandon were part of the Interstate System and as such, he thought they should be built.

As Congress got back to business in 1964, Chairman Natcher began hearings on the District's appropriations act for FY 1965. On February 5, Engineer Commissioner Duke, Director Airis, and other highway officials appeared before his subcommittee. Near the start, Chairman Natcher said he knew that at some point, Airis would bring up matters involving the freeway system:

As you have heard me say on more than one occasion, that certainly I am against any program that has for its purpose the stopping of our highway program in the District of Columbia. For some 3 years now I have believed that any program that attempted to do this would fail.

Although he believed the District of Columbia needed rapid transit and the present highway program, he was not surprised when the House rejected the bobtail plan 2 months earlier. "I thought it was a serious mistake to proceed as they proceeded." He did not blame the District's highway officials. "As you know, it pertained to those in the other groups and agencies, and I thought the action of the House of Representatives was correct."

Airis summarized the status of key freeway segments:

- Theodore Roosevelt Bridge and approaches: construction was underway with completion "no later than mid-1964." Initial service would be limited to connections with Constitution Avenue and the George Washington Parkway. "The additional service will

have to await completion of our E Street Expressway, which is now under construction and is scheduled for opening in late 1965, together with the remaining Virginia connections.”

- Potomac River Freeway: North of the Roosevelt Bridge, construction was underway on the G Street Tunnel. When it is completed in early 1966, it will provide a connection with the Roosevelt Bridge complex to the north. Another portion of the freeway, including its K Street interchange, was under construction. Major work would be finished in late 1964, with additional contracts needed to complete the facility.
- Central Potomac River Bridge: This name referred to the successor of the Three Sisters Bridge. In accordance with the Policy Advisory Committee’s recommendations, the District and Virginia had concluded arrangements with a consultant to study the new location. “Two locations are being studied, one above and one below Key Bridge, and we are optimistic now about moving the project off ‘dead center’ soon after our study is completed.” Airis added, “We think we will.”
- South Leg of Inner Loop: The South Leg included a tunnel under the Lincoln Memorial grounds, a center section that contained a tunnel in the Tidal Basin area, and an interchange on the eastern end with the 14th Street corridor and the Southwest Freeway. NPS and BPR, which were responsible for the western and central segments, were preparing PS&E documents to advertise for bids. The city was responsible for the interchange, which was “practically designed.”
- Center Leg Freeway: The Board of Commissioners had approved a design for the Center Leg between Constitution and Massachusetts Avenues, NW. With tentative congressional approval of a tunnel under the Capitol and U.S. Botanic Garden grounds, the city now had an acceptable plan for tunneling under the Mall. “As a result we have now targeted design for the entire section north of the center leg all the way to Massachusetts sometime this year.”
- Southwest Freeway: Completed and put in operation as far as South Capitol Street, including the Center Leg connection.
- Southeast Freeway: Construction was underway as far east as 6th Street, SE., with completion by mid-1964. Temporary ramps were to be provided for the street system until the city could complete the freeway beyond 6th Street.
- Interchange “C”: A study was underway for a modified interchange and connections to the Sousa and 11th Street Bridges. The goal was to begin design and preparation of the PS&E in the spring. “Construction should begin next year.”
- Anacostia Freeway: On the east side of the river, the freeway connects the Baltimore-Washington Parkway with the Capital Beltway at the District’s southern border via the Kenilworth interchange. “It will syphon off a sizable percentage of through traffic, including truck traffic that now traverses the Washington streets, particularly Third Street just west of the Capitol. The freeway was in use between the Naval Air Station and the Pennsylvania Avenue interchange. “The main facility will be opened for use by mid-1964.”
- 11th Street Bridge: Construction was underway on the first of a pair of spans. When it opens in late 1964, work would immediately begin on the second structure.
- East Leg of the Inner Loop: Negotiations with a consultant were concluding for a route study along the west bank of the Anacostia River. “The study is targeted for completion

by the end of this year, with the intention of moving to public hearings and design stages in early 1965.”

- Northeast North-Central Freeway: A consultant study was nearing completion. The city hoped to have a recommended plan in the spring for presentation during a public hearing and NCPC review. “We plan to be able to start design by mid-1964.”
- North Leg of the Inner Loop: In accordance with the Policy Advisory Committee’s recommendations, the District was preparing a scope of work for a planning study for the west segment. “Studies will be targeted for completion by the end of 1964, with the expectation of securing approval rapidly thereafter, so that we can proceed to design by early 1965.” [District of Columbia Appropriations, 1965, Hearings on H.R. 10199 Before Subcommittee of the Committee on Appropriations, U.S. House of Representatives, 88th Congress, 2d Session, 1964, pages 719-725]

After covering other activities, Airis discussed the status of Interstate completion. He estimated total program costs to be in the neighborhood of \$457 million. To date, the city had obligated \$122 million in Federal-aid Interstate funds, instead of the \$359 million it should have obligated for steady progress to the deadline. He reminded the subcommittee of BPR’s decision that any projects not started before the 3-year period before the 1972 endpoint would not be eligible for 90-10 Interstate funds. “This means that in order to complete the Interstate System on schedule, we must obligate interstate funds at an annual rate of approximately \$58 million per year.”

Chairman Natcher asked if any of the delays in the past 3 years put Interstate routes in jeopardy. He wanted to be sure the city had “no chance of losing any part of our program as a result of the time delay.” Airis replied, “It will be difficult.” Some jobs needed to get started very soon:

The only thing that will hold us up, sir, is in the decisionmaking field. The ordinary engineering planning, the engineering design, the engineering construction can all be completed in the time that is allotted. We have I think about 8 years yet.

Chairman Natcher asked if Airis was referring to the Three Sisters Bridge. “Yes, sir.” Was time of the essence? “That is correct, sir.”

General Duke said that whenever a serious problem affects the basic decision, such as whether to build the bridge, “a considerable amount of time can transpire before that affirmative decision is reconfirmed.” The analysis and reanalysis of the bridge illustrated the problem, as did design of the North Leg to include tunneling. He discussed the ongoing negotiations with “all of the responsible elements” and advised that, “At least, we are in agreement that the facilities should be built”:

So it is a matter of reaching agreement, by negotiation as it were, and reaching a consensus as to these particular matters. We are confident now that these decisions can be reached, and in a minimum of time, because a lot of time can be lost in the process.

Chairman Natcher said, “The committee is delighted to know that you are proceeding to stay within the time limit, so that we can construct this all-important system here in the District of Columbia.”

Airis wanted to reassure Chairman Natcher by explaining why he was confident of completion on schedule. First, “the basic differences in the elements of the interstate system appear to have been resolved.” Planning studies could proceed to completion, followed by a logical and orderly process to construction.

Second, the city was cooperating with other local jurisdictions to establish the 3C planning process the Federal-Aid Highway Act of 1962 had required. “This should insure community consensus and agreement and tend to avoid the kind of controversy that has slowed down our program in the past.”

Third, congressional approval of pending legislation to provide relocation services and assistance as well as to allow the use of air rights would help the District “implement our right-of-way and construction programs, and to provide a fresh and imaginative use of air rights for housing, office buildings, and recreation facilities over and under our freeways.”

Finally, the city was “using up-to-date advance scheduling techniques, the latest in electronic computer equipment” that would allow the city to “aggressively prosecute the forthcoming design, right-of-way, and construction phases to ensure the successful completion of our program.” [pages 728-730]

When General Duke referred to the “responsible elements,” he had in mind those with authority in the review process. President Kennedy had endorsed the freeway plan in November, as had President Johnson in January, leaving responsible elements to work out the details of how to build the approved freeway network. The collapse of the bobtail plan in the House was a separate matter, but with the future of rail rapid transit in doubt, the highway network was more important than ever.

Congress and the Center Leg

Although Congressman Vinson had approved the plan to build the Center Leg tunnel under a section of the Capitol and U.S. Botanic Garden grounds, formal congressional action on legislation was needed. On January 14, 1964, the House Office Building Commission approved the plan. The next step was for General Duke to work with Architect Stewart on legislation authorizing the tunnel to traverse a small portion of the grounds. Construction would be by cut-and-cover tunnel. North of the tunnel, District officials were still studying the path, with a goal of relocating and narrowing the right-of-way to avoid Holy Rosary and Bible Way Churches. [Eisen, Jack, “House Group Approves Freeway’s Mall Tunnel,” *The Washington Post and Times Herald*, January 15, 1964]

On April 7, 1964, the House Subcommittee on Public Buildings and Grounds held a hearing on H.R. 10392, authorizing the District to locate a portion of a vehicular tunnel under the Capitol and U.S. Botanic Garden grounds. Only two witness panels testified. The first panel consisted of Architect Stewart and associates. Stewart stated that the bill “meets with my endorsement.” Representative Auchincloss confirmed that the House Building Commission “thoroughly approves of this plan.”

General Duke and Director Airis comprised the second panel. After summarizing the history of the Center Leg, its status as part of the Interstate System, and delays in securing approval of the tunnel, General Duke said the bill represented a solution “that does not depreciate the vista of our Nation’s Capitol, and yet still provides the essential traffic service needs within the bounds of engineering feasibility and economy.” After additional discussion of the routing, the hearing ended. [Vehicular Tunnel Under U.S. Capitol Grounds, Hearing before Subcommittee on Public Buildings and Grounds, Committee on Public Works, U.S. House of Representatives, 88th Congress, 2d Session, April 7, 1964]

The Committee on Public Works approved the bill on April 27, 1964. The House considered the bill on June 3, approving it without a recorded vote after brief comments from committee members. [Authorizing the Commissioners of the District of Columbia to Locate a Portion of a Vehicular Tunnel Under Parts of the U.S. Capitol Grounds and the U.S. Botanic Garden Grounds, Report on H.R. 10392, Committee on Public Works, U.S. House of Representatives, 88th Congress, 2d Session, Report No. 1348, April 27, 1964; Vehicular Tunnel Under U.S. Capitol Grounds, *Congressional Record-House*, June 3, 1964, pages 12504-12505]

In the Senate, the Subcommittee on Public Roads, Committee on Public Works, held hearings on the Federal-Aid Highway Act of 1964 in May 1964. When General Duke and Director Airis testified on May 20 regarding the 1964 Act, subcommittee members asked about the tunnel. General Duke emphasized that the tunnel would maintain the vista of the Capitol while accommodating essential traffic service. It would be a key segment in the I-95 freeway from Maine to Florida, was consistent with areawide planning, and had been cleared by the Architect of the Capitol.

Senator Lee Metcalf (D-Mt.) asked about recent concerns that the District might not have enough local matching funds for the project and that the city’s highway program “faces a complete collapse” as a result. General Duke said that Congress was considering legislation to increase the District’s gas tax and bond authority for the city’s highway fund. However, “if this [tax] legislation is not enacted, this project . . . could be in jeopardy.”

Senator John Sherman Cooper (R-Ky.), the ranking member of the subcommittee, asked a series of questions about the Inner Loop. Does it circle the Capitol? Yes, but in a much larger circle. Has BPR approved it? Yes. Do the District commissioners support it? They do. How long is it? 16 miles. What is the estimated cost? \$340 million.

Would all of it be above ground except the portion under the Capitol grounds? Not necessarily. The Policy Advisory Committee had recommended putting as much of the North Leg as possible in tunnels. Then it has not yet been determined which other parts will be underground? Correct, since the part that is still in the study stage may be underground at least in part.

Senator Cooper recalled the statement that there was no objection to the project. He asked if any people in the way of the Inner Loop had objected. General Duke clarified that he was referring only to the segment that would go under the Capitol grounds. Objections had been raised to several other segments of the Inner Loop, including the Three Sisters Bridge and the North Leg.

Senator Cooper asked about the Policy Advisory Committee's conclusions, which General Duke summarized.

Did the city have letters of support from the National Gallery of Art, the U.S. Botanic Garden, and the Architect of the Capitol. The city had a letter from the National Gallery, while a letter from Architect Stewart covered the Capitol grounds and the portion of the U.S. Botanic Garden involved in the project.

Next, Senator Cooper requested details on the tunnel, such as its width (varies from 170 to 270 feet), how far below ground (not closer than 8 feet to the surface), and whether there would be fumes. "There will be fumes," Airis replied. "It will have quite a large ventilation system which can be located at either portal, or at one portal, we do not know yet." Will the fumes be blown around the Capitol Grounds?" No, Airis replied, because the fumes "would discharge up into the air. We probably will have the ventilating station as a part of some building on either the north end or down at the south end and I doubt if you would notice it in the area here at all."

What about noise? There would be noise in the tunnel, Airis said, but "I doubt if you would hear it outside at all." What was the purpose of the Inner Loop. The purpose was to "provide a distribution system for traffic . . . so that [motorists] will not use and clog up the existing street system."

Senator Cooper then made clear why he had asked such detailed questions. He understood the need for a tunnel "in an area where the traffic is as great as it is here," but he was not sure BPR had approved the plan. "Nevertheless in view of the fact that there have been objections to the proposal, I would hope that the committee would have the chance to get the testimony of other people including the Bureau of Public Roads." He added:

It seems that there is more and more encroachment upon the grounds of the Capitol as if everybody tried to get on it, or go underneath it. We still do not have testimony on its need and I believe that it is necessary for us to get the advice of other bodies.

For example, he asked if the Commission of Fine Arts had approved the plan. No, General Duke said, the city would not submit the plan to the commission until the tunnel segment had been designed. In that case, why was the District before this subcommittee without having secured needed approvals? General Duke tried to make clear that the bill the District was seeking covered only the portion of the Center Leg that would go under the Capitol Grounds. The Center Leg had already been authorized and was not up for review under the pending bill.

Senator Cooper had to attend a hearing of the Rules Committee, but ended his questioning by saying the subcommittee should hear other testimony on the subject. "I am not reassured by the statements now." Senator Metcalf, chairing the hearing, said he agreed. [Federal-Aid Highway Act of 1964, Hearings for the Subcommittee on Public Roads, Committee on Public Works, United States Senate, 88th Congress, 2d Session, May 1964, pages 71-81]

Senator Hiram L. Fong (R-Hi.), who apparently was not familiar with the subject, asked what had happened to the funds appropriated for this segment of the Center Leg in prior years. “We have not used it,” Airis replied, pending the legislation under review during the hearing.

Senator Fong asked about the purpose of the Inner Loop, which Airis explained using a map. What would happen if the Center Leg were not built? Traffic would continue to be distributed on city streets at C and 2d Streets, SW. Are there any alternatives to the Center Leg? “We are so far along that it is almost a must.” Airis added that, “other alternatives could conceivably be used, but this is certainly the logical one.”

Did the plan involve “a subterranean loop under the Capitol”? General Duke explained that the tunnel would be under only a portion of the Capital grounds, not the Capitol building. Are you asking for permission to go under the Mall and complete all other elements of the Inner Loop? The legislation covered only the section of the Center Leg that would be built under the Capitol grounds, not any other segments. “The reason we are here is to receive your permission to trespass on Capitol Grounds.” [pages 81-84]

Senator Randolph concluded the questioning of the District panel by asking about the status of Interstate completion in the city compared with the States. General Duke said, “I would say just in very general terms that we probably rank 48th or 49th out of the States in terms of scheduling and prosecution of this very important interstate highway program.” With the 1972 deadline looming, “we must prosecute all elements of it as fast as we can.” He estimated that the District had committed only 30 percent of the Interstate funds it would receive for its entire network (roughly \$125 to \$130 million expended out of about \$500 million):

- 17.1 miles – preliminary status, not yet in progress
- 2.8 miles – under engineering or right-of-way acquisition
- 6.1 miles – under construction
- 8.9 miles – total underway
- 1.9 miles – open to traffic to standards adequate for present traffic
- 4.1 miles – total open to traffic out of a total designated mileage of 30.5 miles

Senator Randolph referred to the congestion today in a city that “is perhaps growing at a rate comparable to the States of California, Florida, Arizona, and other such areas of the country.” Congestion bottlenecks would only get worse. “All we need is to listen to our radios in our cars as we drive to Capitol Hill from our residences, listen to the helicopter reports to understand the flow of traffic into the District and, of course, out of the District at night, to understand that we need, and need now, a further development and expansion of the necessary arteries for motor transportation.” General Duke agreed with those sentiments. [pages 84-85]

On May 21, General Prentiss testified before the subcommittee about the proposed Federal-Aid Highway Act of 1964. At one point, Senator Randolph asked General Prentiss, in view of his former service as Engineer Commissioner, to comment on the Center Leg bill. General Prentiss said the Inner Loop occupied “a relatively large area due to the fact that Washington has, because of height limitation, the biggest central business district for a city its size in the United States.” As a result, the Center Leg was essential:

Otherwise, people will not utilize the belt when they want to go from Southwest to Northeast. But the center leg will take care of that traffic and be the shortcut from the Southwest to the Northwest and from there to the Northeast.

Further, the Center Leg would take traffic off the Capitol grounds and eliminate congestion in its vicinity.

Senator Randolph asked if the tunnel would enhance the Capitol area by removing traffic from ground level. Yes, General Prentiss replied, it would be “a great aid” to removing traffic that does not have a reason to be on the Capitol grounds. He suggested that if the Senators wanted an idea of what the tunnel would look like, they could go to the 12th Street tunnel under the National Mall “and that will give a fine example of the kind of structure which will be built to tie in the Southwest Expressway with the Northwest Expressway.” [pages 127-128]

The District’s Funding Deficiency

On May 18, 1964, Chairman Whitener held hearings of his House District Subcommittee on financing for Federal-aid and local highways. The bill under consideration, H.R. 11022, would increase the loan authorization by \$35 million (to \$85.25 million) for construction of District highways and increase the city’s motor vehicle fuel tax by 1 cent a gallon (to 7 cents).

City officials, including Commissioner Tobriner, General Duke, and Director Airis, were the only witnesses. They testified about the District’s financial crunch. The District, Airis said, had “fallen behind” schedule on completion of the Interstate System. General Duke estimated the District would need \$28 million in matching funds for its 10-percent share of Interstate projects over the next 6 years, plus \$27 million for other Federal-aid highways and \$23 million for local streets. “Funds are not available under current revenue authority to continue these programs beyond fiscal year 1965.” To meet needs, the city needed a transfusion of \$61 million over the next 6 years. The situation at this point was dire, as Airis told the subcommittee:

Starting in 1966, the District of Columbia would have to abandon the completion of its portion of the interstate system and would fail in its obligation to the President and to the Congress. Such action may require a refund of substantial Federal-aid dollars to the Bureau of Public Roads, if the Bureau determines that current interstate projects would have to revert to the ABC category. This would place the District of Columbia in a most serious financial plight.

Beyond the Interstates, the city would have to halt work on “the complementary supporting system of expressways, major arterials, and local streets.”

Airis summarized the history of highway planning in the District dating to the 1950 comprehensive plan of the National Capital Regional Planning Commission. As for the present, he said:

I would like to point out that all current highway planning for the District of Columbia is based on the assumption that a greatly improved mass transit system, such as the one

proposed by the National Capital Transportation Agency in its November 1, 1962, report, will be in place and will attract the number of transit riders estimated by that agency.

At this point, the city was behind BPR's schedule:

With such a timetable, at least half of our program should be under contract by now. However, because of recent planning delays and radical changes in Federal fund availability over the last few years, we have thus far only obligated about one-third of our interstate program.

Now, the District was under pressure to speed up construction, and needed the resources to do that. Even the bill under consideration was insufficient. Airis said, "Without early enactment of H.R. 11022, we must anticipate a collapse of our comprehensive highway improvement programs." [Financing Federal Aid And Local Highways For The District of Columbia, Hearings on H.R. 11022 before Subcommittee No. 6 of the Committee on the District of Columbia, U.S. House of Representatives, 88th Congress, 2d Session, May 1964, pages 3-16]

During the question period, Chairman Whitener asked if he detected "a thread of thought" in Airis's statement that the highway program could "fully meet the problem of transportation people in the District of Columbia" with a rapid transit program. Airis said he was not an expert on mass transit:

I would answer it this way: All of our forecasting has been based on the availability of some type of an adequate mass transportation system to handle the passengers that would not be handled by our highways.

In short, the highway network would not be adequate without some type of rapid transit system. In the absence of such a transit system, Airis could not say how much larger the highway network would have to be. [pages 44-45]

The subcommittee held a second day of hearings on May 25. Following the respectful hearing for city officials, the subcommittee on this second day erupted in what the *Post* called a "new outbreak of Washington's protracted freeway war." Jack Eisen commented:

Recently, in the wake of House rejection of the subway bill last December, there has been some undercover sniping at the road program by influential persons. This apparently hit the mark in the Senate, where key members of the Public Works Committee voiced doubts last week over the proposed tunneling of the Mall by the Center Leg of the Inner Loop Freeway. [Eisen, Jack, "New Eruption of Freeway Feud Feared," *The Washington Post*, May 26, 1964]

The first witness, Hyde Gillette of the Metropolitan Washington Board of Trade, said the board was "completely committed to the pressing need for a balanced highway-rapid-transit transportation system to serve Metropolitan Washington." The street and freeway system was integral to the long-range plan:

In fact, because of the delays in finalizing and securing legislative action respecting the mass-transit system to be provided, it is most necessary that the highway projects proceed on or near schedule in order to accommodate the rapidly growing number of residents, visitors and commercial enterprises in the National Capital.

On behalf of the board, Gillette urged approval of the bill. [pages 61-64]

Admiral Phillips of the Committee of 100 on the Federal City was the next witness along with Peter Craig, who chaired the Roads Committee. The Committee of 100 endorsed the penny gas tax increase in H.R. 11022, which would bring the District's gas tax in line with the tax in surrounding jurisdictions. However, the committee opposed the provision increasing the borrowing authority for highway work:

The Committee of One Hundred believes that the place to start achieving a balanced transportation system is to balance the highway fund budget, reducing capital outlays to levels that can be afforded. The Highway Department has been able to expand its program with alacrity in recent past, and it should be able to reduce the program now to levels that are fiscally realistic.

The Committee of 100 recommended deleting the following projects:

- The Georgetown bridge, formerly the Three Sisters Bridge
- The North Leg (west section of the Inner Loop)
- The third 14th Street bridge
- Widening South Dakota Avenue, NE,
- Widening Missouri Avenue, NW.

Admiral Phillips concluded his brief statement by praising the District for using \$3.3 million in highway revenue to pay the annual expenses for traffic police instead of using general fund revenue as was done as a temporary measure for 3 years. [pages 64-65]

Admiral Phillips submitted, for the record, a background paper that Craig had prepared. It began:

A balanced transportation system of highways and rapid transit has received much lipservice [sic] but little definition or meaningful action at the District Highway Department. Each year since World War II the newly discovered highway needs grow (at a faster rate than previous projects have been completed) while proposals for transit improvements have been actively opposed or allowed to wither.

He summarized the history of planning since the early 1940s. Even as NCTA came on the scene to promote rail rapid transit, the highway program continued to expand. "When the Planning Commission, the NCTA, or the District's citizens protested, they were told the projects would be 'needed' anyway, even with rapid transit." Despite plans for rail rapid transit, the Highway Department "reckoned all increased travel would be by private automobile." When NCTA released its plan, it was "met with a withering volley of special highway lobby publications,

critiques authored by the District of Columbia Highway Department or Bureau of Public Roads and persistent lobbying on the Hill.”

Although the Policy Advisory Committee had unanimously endorsed a new location for the Three Sisters Bridge and tunneling for the North Leg, many members did so not because they thought either facility was needed. Rather, they did so “because it was assumed that approval was necessary if even a bobtailed subway was to survive the highway lobby gauntlet in Congress.” That theory did not prove true, Craig continued. “Not only was the NCTA plan first cut in half and then recommitted but every voice among planners and government urging moderation in highway construction was silenced.” Overall, 1963 “was tragic for the cause of a balanced transportation system” in the Washington area.

The result was that hundreds of millions of dollars were pending for freeways on the drawing board, “without 1 penny spent for subway construction.” The fruits of this imbalance were all-time highs in motor vehicle travel, transit at its lowest level since World War I, and record highs for the number of people killed or injured, air pollution, and the amount of space devoted to off-street parking.

Perhaps the best way to achieve balance was to force the District to balance its highway fund budget by “reducing capital outlays to levels it can afford.” Craig’s paper cited the northwest quadrant where highway supporters warned that residents would regret opposing expressways through Whitehaven, Glover-Archbold Park, Rock Creek Park, and the Wisconsin Avenue corridor, as well as the widening of Wisconsin and other arterial streets. Despite the dire warnings, northwest had “been the one established residential area of the city which uniquely has been free from blight or any ‘flight to the suburbs’ and in which real estate values (and District tax revenues) have risen precipitously.” [pages 65-67]

In testimony, Craig told the subcommittee that the Committee of 100 saw “little point in borrowing more money that cannot possibly be repaid.” The easy alternative was for the District Highway Department to “revert and reduce its scope of its highway program to bounds which can be more easily financed.” The Interstate System “has been growing every year” with uncompleted projects. He pointed out that the map District officials displayed did not include “freeways which have been completed for 5 years or more that originally were part of the Interstate System.”

Craig cited I-295 as an example. The 1959 Mass Transportation Survey included the route from the Woodrow Wilson Bridge, along the Anacostia River, to East Capitol Street, then along the Kenilworth Avenue Freeway to the Maryland line. However, the completed Kenilworth Avenue Freeway was removed from the Interstate System, as was the portion of the Anacostia Freeway between East Capitol and 11th Streets. Then, I-295 was “looped over the river to go along the west side of the Anacostia River.” He listed other segments added to the Interstate System in the past 5 years:

- The second Georgetown bridge
- Potomac Freeway west of Key Bridge
- A third 14th Street bridge

- The Northeast Freeway
- The North-Central Freeway
- The North Leg, east section

To save the \$35 million in additional borrowing authority, the District could simply revert to the Interstate System as of 5 years earlier.

During the question period, Chairman McMillan said:

I think it is a wonderful idea you suggested—that by going back to the old concept of building a highway around Anacostia, it would mean much less money, and I believe it would probably serve a better purpose.

He did not want to criticize Airis or General Duke, both of whom were fairly new to their posts. “Their purpose here is to build highways, and we need highways. But what I am interested in is let’s try to stay within our means, and not bite off more than we can chew.”

The only question came from Representative Harsha. He saw the testimony as “creeping up in . . . an effort to curtail the highway program for some other reason.” He asked where Craig worked. Craig said that after a stint as a special assistant to the House Judiciary Committee, he worked at Covington & Burling for 10 years. As for the last 3 or 4 months, “I have been commerce counsel of Southern Railway, dealing in ICC and State regulatory commission problems.” Representative Harsha had no further questions. [pages 75-77]

The next witness, former District Commissioner Renah Camalier represented the District Advisory Board of AAA. He supported the bill in view of the urgency of completing the District’s Interstate highways to meet the deadline before BPR had issues.

During the question period, Chairman McMillan said he did not think anyone objected to the penny increase in the gas tax. The question was whether the additional borrowing authority would cover needs or would have to be supplemented. Schuyler Lowe, director of the District’s Department of General Administration, tried to clarify the situation. “The loans, both present and proposed, would, of course, be a prior lien on the revenue of the highway funds.” Funds to amortize the loan would be sufficient through 1968. But if the highway program progressed as planned, by 1969 the city would “have to have some additional revenues coming into the highway fund in order to carry on with further” work. The additional loan authority was “absolutely essential in order to keep this program moving at a rate which would permit the District to obtain full participation of the interstate program.” [pages 79-80]

John Immer of the District of Columbia Federation of Citizens Associations also endorsed the penny gas tax increase. However, the federation opposed any increase in borrowing authority “until this has been properly cleared by the community.” The point was where capital funds should go. “Are highways more important than children,” he asked:

Should we proceed full speed ahead with an expanded highway program and leave our schools and instructional facilities in the ditch?

Rapid transit was another option. “The amount involved here is approximately that suggested as the District’s contribution to a rapid transit system.” The federation questioned the need for many of the proposed highway projects, as well as the transfer of revenue from the general fund to highways. “We believe that these programs need to be subject to more critical review by the community before they are allowed to displace too many of our residents and deprive our children of needed schools and other social facilities.”

Representative Harsha asked for an explanation of the statement that projects should be “properly cleared by the community.” Immer referred to projects that “we do not feel have been given complete approval of the community, and we think that this should be done before we go into the broader question of the loan.” How would Immer get community clearance? Public hearings revealed strong community and local opposition to some of the freeways “and despite that fact I think they have still remained on the agenda here.” The federation was trying to convey “the feelings of the people who live in the District.” In short, “we cannot have everything.”

Representative Harsha observed that the federation wanted to advance schools ahead of highways, but apparently wanted to advance rapid transit ahead of schools. Immer replied, “The view of the federation at this time is that the \$35 million would probably accomplish more in solving our transit problems applied to a rapid transit system than they would to the highway system.” In short, Representative Harsha told him, the federation was not much opposed to the added borrowing authority but to the highway program. Immer said the federation still would question whether the additional funds should go to schools, but the answer might be different if the alternative were rapid transit. [pages 80-82]

General Duke and Director Airis returned to continue their testimony. Chairman McMillan engaged General Duke in a discussion of the possibility of reopening the old 14th Street bridge for U.S. 1 traffic. It might serve traffic while the next span is built. General Duke suggested that “we might have to do that . . . if the proposal to study the new bridge doesn’t progress as rapidly as we would hope.” However, the city would prefer a new bridge to reopening the old one if traffic needs warranted additional capacity. Chairman McMillan said he did not object to a new bridge, but the old one might serve airport traffic while relieving peak period congestion. General Duke agreed that the idea should be explored. “We are keeping that in mind,” he said.

Representative Harsha asked General Duke to comment on Craig’s suggestion that the city revert to the Interstate network of 5 years earlier. General Duke observed that the current plan was the product of a planning process and had been approved by NCPC and NCTA. He had to qualify that statement, in view of NCTA’s position on the Three Sisters Bridge and the North Leg, by saying “I think by and large the official transportation planners of the area agree with the system as we have lined it up now.” As for Craig’s view:

We can fail to recognize the inevitable growth of traffic paralleling the growth of the community generally, and not necessarily within the District of Columbia now, but considering the entire metropolitan area, or we can close our eyes to this long-range requirement and build in an automatic stifling device for the future of the District of Columbia.

This is the balance that the transportation planners are trying to assess.

Reasonable observers, he said, may disagree with official judgments, but “I happen to feel that the current highway plan is the best plan that can be devised.” He emphasized that to meet transportation needs by the end of the century, the highway plan “must be supplemented by the Rapid Transit System about which so much has been said.” Without these programs, people who work in the city will look for jobs elsewhere. “They will balance the adversities of travel, as it were, and it is our job now to plan for this and to make sure that we have a vibrant community for the District of Columbia for the years to come.”

Representative Harsha also wanted to know if the city would be unable to complete the Interstate System if Congress did not approve the additional loan authority contained in H.R. 11022. General Duke said he could not be sure, but “just using my own extemporaneous judgment,” he thought the failure to approve the loan authority “would place in specific jeopardy the 1972 deadline for completion of the Interstate System.”

Chairman McMillan, recalling the long effort to secure the Commission of Fine Arts’ approval of the Theodore Roosevelt Bridge, asked if the city had trouble getting the group’s approval for the new Interstate network. General Duke would say only that “collecting of the various approvals around the District for our projects is a very tedious matter.”

With that, General Duke had to leave because of a prior commitment.

Chairman Whitener asked Airis if he thought the current plans would serve the area better than the 5-year old plan Craig had mentioned. Airis replied, “I don’t think there is any question on that point.” The current plan for the Inner Loop, for example, would “provide much better service” than the old plan.

Chairman Whitener asked about Craig’s statements regarding the Anacostia Freeway and the Kenilworth Freeway. Airis explained that the change in I-295 was made because the freeway leads to the Baltimore-Washington Parkway, which prohibits the use of trucks. In addition, quite a bit of traffic will want to go to or come from the central part of the city:

So, for those two reasons . . . it was decided in the best public interest to change and make the Anacostia Freeway interstate up to the 11th Street bridges, and thence into the District, and change the upper end back into merely a Federal-aid highway.

After an exchange with Lowe about whether the 1-cent increase and loan guarantee would ensure completion of the network (Lowe thought the city would return to the committee at some point to seek additional revenue), Chairman Whitener concluded the hearing. [pages 83-91; the subcommittee’s hearing report reprinted a lengthy statement by Peter Craig titled “A Balanced Transportation System on a Balanced Budget” containing his history of transportation planning in the District beginning in the 1930s. pages 97-126]

According to Eisen, “The hearing ended with the District program hanging by its fingernails.” [Eisen, Jack, “New Eruption of Freeway Feud Feared,” *The Washington Post and Times Herald*, May 26, 1964]

The editorial writers at *The Evening Star* agreed, and they knew who to blame. They hoped the District Committee’s “attention will not be diverted . . . by the distorted and divisive poppycock which it heard on the subject Monday from the Committee of One Hundred on the Federal City.”

Referring to the comment by Admiral Phillips that the “place to start establishing a balanced transportation system is by balancing the highway budget,” the editorial commented:

The truth is, of course, that Mr. Phillips and Mr. Craig are not interested in balancing the highway budget. And certainly they have no interest in a “balanced” system—one in which the transportation needs of the Washington area would be reasonably met by both freeways and rapid transit . . . Mr. Phillips and Mr. Craig are interested in halting freeway construction wherever and by whatever means they can.

A few years earlier, the anti-highway perspective they reflected had divided highway and transit supporters, bringing “all transportation planning virtually to a standstill.” Now, “the emphasis in official thinking more recently has swung back to a reasonable balance between freeways and transit.” The editorial concluded, “The divisionists should not be permitted to gain a foothold again.” [“Highways in Trouble,” *The Evening Star*, May 28, 1964]

Opening the Theodore Roosevelt Bridge

On June 23, 1964, officials and about 300 spectators gathered for the dedication of what the *Post* called the “bridge that almost wasn’t”: the \$24.5 million Theodore Roosevelt Bridge. The ceremony took place on the ramp leading to the bridge from 23rd Street and Constitution Avenue.

General Duke, the master of ceremonies, introduced the keynote speaker, Senator Jennings Randolph, who said the bridge was a fitting memorial to former President Theodore Roosevelt. “Here are woven together the two threads of his interest and efforts in the conservation of land and water.” Senator Randolph referred to the “skepticism” and “perhaps despair” that some planners and builders felt during what the *Post* called “the years of long and bitter squabbling about the bridge that sometimes was envisioned as a tunnel, or even a tunnel-bridge.”

Those past disputes, according to the *Post*, were not on the minds of those watching Alice Roosevelt Longworth, the former President’s daughter, yank a cord to unveil a plaque that would be set in stone and placed along the bridge:

THEODORE ROOSEVELT

BRIDGE

----- o -----

THIS BRIDGE IS NAMED IN HONOR OF

THEODORE ROOSEVELT

1858-1919

TWENTY-SIXTH PRESIDENT
OF THE UNITED STATES OF AMERICA
STATESMAN – SOLDIER – MAN OF LETTERS

After the ribbon cutting ceremony, a motorcade of antique automobiles rolled across the bridge from Washington to Virginia. Mrs. Longworth and other members of the Roosevelt family, including two grandsons, occupied the lead vehicle.

The day before, George Kennedy, who wrote The Rambler column in the *Star*, toured the bridge with Carl Wilson, who was in charge of bridge construction for the District Highway Department. Wilson arrived in his air conditioned Chrysler Imperial for the advance tour:

We went west at Constitution avenue and, instead of making the left turn at Twenty-third street to the Memorial Bridge, continued ahead. The barrier had been removed.

The ramp going up to the bridge swings to the right and back as it goes over underpasses still to be paved.

We stopped to survey the scene. To our right on a bluff 30 feet high were the Naval hospital buildings, more recently used by the CIA. Below, the earth moving machines were working in a man-made valley—the route of the Inner Loop whose course north of K street has yet to be determined.

“There,” said Mr. Wilson, pointing to a triangular knob bordered by the grading of roads under construction, “stood the Heurich Brewery.” If anything had looked permanent on the Foggy Bottom waterfront it was Christian Heurich’s Rhinish castle with its square tower of red brick, a feudal stronghold suggesting a moat around it, a draw bridge and a dungeon within.

Now, nothing remains and the landscape is so altered that it is difficult to determine just where the castle stood.

We drove on to the new bridge and over the East Channel of the Potomac. The safety railing is low, one of those metal bands that bounces errant cars back onto the highway.

The bridge included sidewalks. Wilson told Kennedy, “They are primarily to enable anyone whose car stalls on the bridge to walk off without danger to traffic.” However, he already had observed State Department workers walking across the bridge from the Arlington Towers apartment buildings to their office in the District.

The preview continued:

After it clears the lower tip of Roosevelt Island, the bridge becomes a trident, a three pronged fork.

We took the right fork and rode down to the parkway bound north. We turned across the median strip and came back on the Washington-bound approach. It goes under one road and over another before landing us back on the bridge.

As Kennedy observed, “It takes several years to build a major bridge, but despite this the bridge is invariably completed before the approaches.” The new bridge was “an extreme instance” of this saying. The bridge was expected to carry I-66 traffic between the Virginia suburbs and the Inner Loop. For now, however, Virginia had not built the I-66 section inside the Capital Beltway. As a result, the connecting ramps limited the bridge’s use. According to the *Star*:

Virginia-bound traffic from downtown will be able to go down Constitution avenue, onto the bridge, and then northbound onto the George Washington Memorial parkway. There will never be any way for motorists to turn southbound from the bridge to go toward Alexandria on the parkway.

Inbound traffic likewise will only feed from the Memorial parkway vehicles coming east. Traffic from the direction of Alexandria will not have access to the bridge.

Virginia highway officials hoped to complete a connection between the bridge and Arlington Boulevard.

As Airis had testified earlier in the year, the District approaches were not ready, either. The connection from Constitution Avenue to the bridge was in place. The *Star* continued:

The remaining two-thirds of the District approaches that will feed traffic into the bridge are the connections with the Inner Loop freeway and the E street expressway.

The E street expressway is scheduled to be opened late next year. At that time, traffic will be able to get on the expressway at Nineteenth street N.W., for a clear approach to the bridge.

The Inner Loop was experiencing the most delay:

The inner loop is to be finished from the Whitehurst freeway to the bridge in late 1965. But near the Lincoln Memorial, the freeway is not expected to be finished until 1967 or 1968.

[“Roosevelt Span to Open Tuesday, Links Incomplete,” *The Evening Star*, June 22, 1964; Kennedy, George, “The Rambler . . . Crossed Roosevelt Bridge,” *The Evening Star*, June 23, 1964; Gilliam, Dorothy, “After 14 Years, Roosevelt Bridge Is Opened,” *The Washington Post and Times Herald*, June 24, 1964; “Bridge Over Potomac is Dedicated,” *The New York Times*, June 24, 1964]

The *Star* editors recalled the groundbreaking ceremony 4 years earlier when a cannon that was supposed to “herald the great event” malfunctioned. “For the practical good it is doing, the opening of the bridge this week is nearly as much a dud.” During its first 24 hours of “full operation” (the editors put the phrase in quotes), the bridge had carried only 8,600 vehicles from

the District to Virginia and 6,100 vehicles in the opposite direction. “In contrast, the nearby six-lane Arlington Memorial Bridge regularly handles 71,000 cars a day.”

The *Star* asked: “Pitiful?” It answered: “Of course.” The “controversial ‘spaghetti bowls’ of ramps and access roads, designed to shoot cars on and off both ends of the bridge in all directions, are completely inoperative.” The editors did not blame the builders of the bridge, “which we think is functional and thoroughly handsome.” They knew who to blame:

The current sad state of affairs is very much the fault, however, of countless highway, planning, park and other governmental officials on both sides of the river, whose stalling and bickering have unconscionably delayed the freeway system of which the bridge is merely a part.

Traffic will increase gradually with the connection to Arlington Boulevard and the opening of the E Street Expressway:

Its important connections to Virginia’s Route 66 freeway and to Independence avenue in Washington, however, still remain years away. And its full value will not be realized until the District’s entire inner-loop freeway network is finished.

Nevertheless, the editors considered the opening of the bridge “no mean accomplishment.” Perhaps, they speculated, “its limited use may prove important—as a constant reminder to everyone of the need to complete the freeway system as a whole.” [“Spaghetti Strings,” *The Evening Star*, June 26, 1964]

Donald Beekman Myer, in his book about District bridges, described the Theodore Roosevelt Bridge as “a shallow-arched, multiple-spanned, steel girder structure, lightly resting on low stone piers.” He called its appearance “simple, but not enduring.” He lamented that the District had ignored the advice of the Commission of Fine Arts, the NPS, and “the pleas of numerous agencies and citizens’ groups,” and built the bridge instead of a tunnel. [Myer, Donald Beekman, *Bridges and the City of Washington*, U.S. Commission of Fine Arts, 1974 (1983 edition), page 16]

In the 1992 *Post* feature on Washington’s bridges, Bisbort wrote:

Much maligned for its aesthetic deficiencies (though isn’t this quibbling, with the Kennedy Center so close by?), this bridge is nonetheless a driver’s godsend, flaring off in several directions at either end. Built in 1960, it’s a multiple span steel girder that sits low on the water. [Bisbort, page 9]

The Center Leg and the Capitol Grounds

The House of Representatives had approved the bill allowing the District to build the Center Leg tunnel under a sliver of the grounds of the Capitol and the U.S. Botanic Garden. In June, Senate action was pending. The Subcommittee on Public Roads reported the Center Leg bill to the full Committee on Public Works on June 3, but in view of the concerns raised by Senators Cooper,

Fong, and Metcalf, the subcommittee took the unusual step of holding a second hearing on June 19.

At the start of the hearing, Senator Randolph said that the subcommittee had approved the bill on June 3 “with the reservation that the [final committee] action on this measure would not be taken until the committee has today’s hearing testimony studied and evaluated.” He wanted to stress, however, that the bill in question concerned only one short segment of one portion of the District’s Interstate System. “I would point out that this committee has neither the responsibility nor the authority for determining the alinement of projects in the Interstate System in the District of Columbia.” To clarify, he added, “I would hope that our discussion will be concentrated on that aspect, and not go astray into a consideration of the concept or possible alinement of the inner loop.” [Vehicular Tunnel Under U.S. Capitol Grounds, Hearing before the Subcommittee on Public Roads, Committee on Public Works, United States Senate, 88th Congress, 2d Session, June 19, 1964, pages 2-3]

Senator Metcalf said he did not agree that the alignment was beyond the purview of the committee “because after all the alinement does take into consideration where and under what circumstances we are going through some of the Capitol Grounds, which is our responsibility.”

Senator Cooper agreed with Senator Randolph about the lack of authority to determine the location of Interstate roads. “What I do object to, however, is for this committee to be used to determine the alinement, and I think that is what is happening.” He had not known anything about the project until the last hearing on the bill. Now, upon subsequent investigation, he learned that several agencies must approve the alignment of the Center Leg; he wanted to be sure they approved before Congress acted. “As I understand it there is still some controversy and conflict over the alinement, the design, and the cost of the center leg.” If the committee or the Congress approved this bill, advocates of the Center Leg location could then seek further approvals based on congressional approval:

Our decision would have its influence on the other agencies. In my own judgment I think it would be better for the District Highway Department and the Commissioners to complete their plans and to secure approval from these agencies, and then to seek congressional approval of this final part. It seems to me the Highway Department is putting the cart before the horse.

He also wanted to ensure that the tunnel would not affect “the beauty or utility of the Capitol Grounds.” He anticipated “a great deal of noise and fumes, and I just don’t think these matters have been determined, and I think if there is to be a complete design we should have all these facts before we approve what I would call a pig in a poke.” [pages 3-4]

Administrator Whitton and BPR Deputy Director of Engineering Barnett were the first witnesses. Whitton described the Center Leg as part of the Inner loop and a segment of I-95, “the main north-south route on the east coast of the United States.” The purpose of the bill was to allow construction of a vehicular tunnel “under the westernmost projection of the U.S. Capitol Grounds and the U.S. Botanic Garden grounds” under the jurisdiction of the Architect of the Capitol. The tunnel “would in no way disturb the appearance of these grounds” except during construction.

Officials had proposed to build the Center Leg through these grounds because it was “part of the most reasonably direct route” for I-95. “Without it, traffic approaching the inner loop and destined beyond would have extra travel distance by way of the east leg or north and west legs of the inner loop.”

Urban areas such as Washington had encountered “the greatest difficulties and delays” in building their Interstate networks. With congressional approval of the vehicular tunnel bill for the Center Leg, the District could “proceed to construction in the very near future.” [pages 5-6]

Senator Randolph began the questioning on broad terms. The Interstate plan was for all the States to complete their Interstate segments “at approximately the same time; is this true?” It was true. Was it also true that the District of Columbia “is almost on the lowest rung of the ladder” of progress? It was true. Is it correct that the tunnel under the Capitol grounds was needed “if the orderly program is to proceed in the District of Columbia?” Yes, that was correct.

Senator Randolph asked Whitton to elaborate on his statement that the tunnel would not disturb appearances on the Capitol Grounds. Whitton said he had not seen the detailed plans, but the plan was for a cut-and-cover tunnel. There would be “disruptions and unpleasantness during construction” of the channel into which the tunnel would be placed. However, the trench would then be covered and “the surface of the area of the Capitol Grounds will be restored as it now is.”

In response to a question from Senator Randolph, Whitton confirmed that BPR would approve the plans, just as it would for a plan in any State.

Senator Metcalf wanted to know if the District would consider alternatives such as boring the tunnel instead of building it as a cut-and-cover tunnel. Yes, the District would. Has BPR received any of those estimates? No. So BPR doesn’t know which would be cheaper, is that correct? BPR had no information on that subject, which District officials might be able to provide.

Senator Randolph and Barnett discussed the limits of the tunnel, which had changed as a result of negotiations with the Architect of the Capitol. Barnett said:

The original tunnel terminated at the south borderline of Independence Avenue, and as a result of this conference, they extended the tunnel to C Street, Southeast, so that the area west of the Rayburn Office Building is free for whatever future planning there might be
.....

Returning to the District’s status on Interstate completion, Whitton recalled, as he had in previous settings, that the District, unlike the States, lacked rural areas. The city could not complete large amounts of rural mileage, as the States could, while the urban segments were in dispute. That difference, he said, “accounts in my judgment for most of the cause, maybe all of the cause for their being behind in the development of the interstate program in the District.”

Senator Metcalf introduced a letter from the Midtown Business Association, dated June 16, that picked apart many aspects of plans for the Inner Loop. After 10 numbered criticisms, the association said that instead of wasting money on the Inner Loop, the funds could better be spent

on the President's plan to modernize Pennsylvania Avenue. By contrast, Senator Metcalf introduced a letter from the National Capital Downtown Committee (Downtown Progress), dated June 18, in strong support of the Center Leg Freeway. Having not seen either letter, Whitton deferred comment.

Senator Metcalf indicated he was "pleased that this proposed tunnel, if it is built, will extend beyond Independence Avenue and pass the Rayburn Office Building." [pages 8-16]

Senator Cooper wanted to understand the designation process for the Center Leg as part of the Interstate System. Whitton and Barnett explained that the Inner Loop, including the Center Leg, had been designated in general terms in the September 1955 Yellow Book. The District then submitted a map showing its proposed beltline facilities and radial routes. BPR's Division Engineer for the District had given tentative approval, but the routes were not fixed in relation to existing roads and buildings. Final approval was dependent on a public hearing, full consideration of the material collected during the hearing, and review of economic effects. The District held the public hearing in September 1963. The next step was a District submittal to BPR for final approval.

Barnett said that Whitton had indicated that while BPR was satisfied with the location of the Center Leg, he would not approve it until Congress passed the legislation allowing construction of the tunnel, ensuring that it could be built as planned. "That is the reason for the bill in front of you now."

Did the District commissioners approve the plans? Barnett was not certain, but he assumed so "or they wouldn't have proposed it to us." Are Interstate funds available? Yes, Federal Interstate funds are available. Does the District have matching funds available? Whitton did not know. Have detailed plans been prepared? Plans had been prepared in sufficient detail for BPR approval, but the District would have to say whether more detailed plans, essentially the PS&E, were ready. Had officials considered a longer tunnel rather than a depressed highway beyond the present limits? Barnett replied, "No, sir. Of course, when you extend the tunnel the cost mounts up."

Senator Cooper wondered how Whitton could say, as he had, that the tunnel would not affect the appearance of the Capitol Grounds when he had not seen detailed designs. The Senator thought the committee had a responsibility to judge that point from models or plans. Whitton acknowledged he had not seen either.

The Senator said he was "very much interested" in General Duke's statement that he could not provide specific information on these points or state the cost of the tunnel. "Wouldn't that be a fundamental fact that the Bureau would know?" The project, Whitton replied, had not proceeded to the stage where a precise estimate would be possible. The District estimate of \$71 million was based on experience in other cities with similar tunnels, but until detailed plans were prepared, estimates were "going to be rather vague but I think close enough for us to determine that the project is justified."

Senator Cooper wanted to know about access roads at the tunnel ends. Whitton expected some kind of interchange near the north and south ends of the tunnel. Would that result in much noise at the entrances? Based on tests, Barnett said there would be “very much noise but not more noise than there is on the streets of the District today.”

What about fumes in the tunnel, Senator Cooper asked. Barnett replied that the tunnel would require artificial ventilation, adding “there is nothing mysterious about that.”

Senator Fong asked what would happen to the Interstate funds if some routes had not been built by the 1972 deadline. Whitton told him:

At that time if the interstate highways are not completed by October and the money paid as we understand it by October 1972, then the law becomes nonexistent, and we revert back to the status before the Congress passed the law in 1956, and all roads then will be completed on a 50-50 basis as we understand it now.

In that case, Senator Fong was under the impression the District would lose \$70 million. Whitton confirmed the amount. What about asking Congress to extend the program beyond 1972? Whitton replied:

My personal opinion is that I don't think we ought to talk about extending it. If we talk about extending the law then some States are going to let up on their push to get the job done, and I just won't talk about it.

(Senator Fong said he asked about the 1972 deadline because he was worried about the Interstates in Hawaii, which was not a State in 1956 (statehood became official on August 21, 1959). On August 29, 1960, BPR had approved three Interstates (designated H-1, H-2, and H-3) for the new State. The Senator thought that because of the delayed approval, Hawaii might be entitled to an extension of the completion date because it was going to be very difficult to meet the current schedule. Whitton replied only, “I hope you keep that position.” [pages 17-22])

Chairman Rowe of NCPC was the next witness. She told the subcommittee that NCPC had approved “the general concept of the center leg of the inner loop, but we have never taken any action on its precise alinement”:

There has been a great deal of concern in the Planning Commission because of its effect on the Capitol Grounds and on the city as to just how the center leg should be designed and where exactly it should go.

Most recently, NCPC's review of the city's capital budget resulted in a statement that NCPC cleared the budget with the understanding that before the city advertised for bids, NCPC wanted to see a model of the project showing an architectural treatment of the Center Leg. She added:

Now as far as this particular tunnel is concerned, perhaps this is the best location, but the Commission hasn't had an opportunity to review it. Our concern is not limited just to where the tunnel might go under the Mall itself, but what is going to happen on either end.

NCPC was concerned about the aesthetics of the approaches to the Capitol and how the Center Leg might affect area residents:

We can't determine it when we have no precise information on just where and how extensive the proposed route is going to be.

Senator Randolph said that as subcommittee chairman, he understood the present bill was permissive. "It does not force the construction or alinement if the other responsible agencies do not approve the specific alinement." [pages 22-24]

Senator Metcalf said he also was concerned about the exits and entries to the tunnel. Rowe said that was one of the reasons that NCPC wanted to see a model "to determine just what a road is going to look like." NCPC did not want to delay planning, so it approved the funds needed to date, but wanted to be sure of the plan before the District advertises for construction bids. The Senator commented, "Apparently you are in the same position as the Bureau of Public Roads in not having seen the final plans." Rowe agreed. [pages 24-25]

The next witness was William Walton, chairman of the Commission of Fine Arts. He cited the two tunnels already under the Mall, "both of which we think are a great addition to the beauty, because they divert traffic from the surface." He continued:

In general we feel this about the center leg, that in principle it would be a step toward preserving the surface beauty. There are already long lines of trucks thundering across the Mall at Sixth and Fifth Streets.

If those were to be underground we think it would be a great improvement. However, we have severe reservations about the design of a tunnel as close as this proposed one is to the Capitol, and in considering it we think one of the great difficulties is the flaw in the planning process. We as the Commission of Fine Arts never see a plan until it is so advanced that we couldn't modify anything but superficial details such as railings and the tailings of ramps and other things on the ground that so many millions have already been committed to a project that any change was impossible. We have a strong feeling that we should be consulted much earlier in the process, not at great expense to the agencies involved, because the submission of preliminary sketches, or discussing locations, because a hole or trench visible on either side of the Capitol is definitely an unesthetic sight that affects the entire landscape.

Senator Cooper wanted to know if the District commissioners or highway officials had sought the commission's advice on design of the freeway and tunnel. "Not on the design, no." The commission feels it is consulted too late to make a real difference, is that right? Yes, and it has been the commission's general experience. Did the commission have any concerns about the freeway being very close to the Capitol grounds. Walton replied:

From what I have seen in the press and so forth, I would say that the length of the tunnel south somewhat solves the problem, but the north approach looks to be like a very bad

one, an open cut that with access highways would have a very negative effect on the Federal landscape. The tunnel should be probably longer if they must have one.

Senator Cooper said that like the commission, he felt the subcommittee was being consulted too late to do anything, “and we are asked to approve the design without knowing what it is.” Walton commented, “We should jointly prevent that.” [pages 26-33]

General Duke and Director Airis were the hearing’s final witnesses. General Duke emphasized the city’s coordination with NCPC, which had “recommended favorably” the center leg, conditioned on review of the design via a model showing the architectural treatment. “This will certainly be done as one of the first steps of the design contract.” He was certain NCPC would concur.

Similarly, he was confident that the District would coordinate with the Commission of Fine Arts “at a very early date, and here again I really have no reason to believe that we will not be able to reach complete agreement on the beauty of this area that must be preserved.” The city also had coordinated with the Architect of the Capitol, NPS, and GSA. Moreover, the Center Leg was included in NCTA’s transportation plan. [pages 33-34; General Duke submitted letters and statements of support for the record, pages 34-44]

Senator Metcalf asked what would happen if the city did not get NCPC’s final approval “that you are so confident of getting.” General Duke was confident of approval; “we have always been successful in getting this approval.” If not, “so far as I know, sir, we wouldn’t proceed with this project.” The Senator asked if that would be the end of the project under the statute. General Duke was not certain whether NCPC, under statute, could kill the project, but said, “We plan to get the approval of the Planning Commission and we will get it.” If necessary, the city would adjust the project to get the approval.

General Duke emphasized that the Center Leg was an important element of the main north-south Interstate route on the East Coast, but also served local needs. By permitting downtown distribution of local and long-distance trips, the Center Leg would relieve local streets of substantial traffic volumes. The tunnel would carry large amounts of traffic from the Southwest and Southeast Freeways under the National Mall to destinations to the north. It also would eliminate the continuous flow of traffic on U.S. 1 along Third Street, just as the 12th Street Expressway under the Mall removed some 16,000 daily trips from surface streets. For these and other reasons, the District considered passage of the present bill to be essential because it would allow the city to secure Federal funds to design and ultimately construct the tunnel segment.

Senator Metcalf asked if the city would have an Interstate System if the Inner Loop were built without a Center Leg. General Duke replied that if the rest of the Inner Loop were built, including the North Leg, he would agree that “we could in fact have an Interstate System.” However, the Inner Loop was planned with a Center Leg to provide “that balance of transportation between Maryland and Virginia and the urban area of the District of Columbia required for proper balance of the transportation requirements.”

Senator Metcalf summarized several points:

- The relocation of people for the Center Leg,
- “the fact that you are going to have an open ditch that will cut the city of Washington—the Capital of the United States—into two parts,”
- The cost of \$71-\$72 million, and
- The fact that Whitton said an alternative existed involving an extra amount of mileage.

Despite those factors, “you still feel that the center leg is an important component of this transportation system.”

General Duke replied, “I definitely do.” The city was “quite conscious of the adverse effect of the construction of any public improvement in the District of Columbia.” Recognizing these effects, the city “reluctantly” approved construction, “and I can assure you that the Board, after due consideration of all these factors, unanimously are of the opinion that this leg should be built.” He added that “you should feel confident that the inherent beauty of this area will be protected by the modus operandi in the design of these projects.” NCPC, NPS, and the Fine Arts Commission would assure that (“I should say of all the places in the country where the procedures are designed to insure beauty and insure a proper outcome, the District of Columbia probably would rank one on the list.”)

Of all the north-south legs of the Inner Loop, General Duke said the Center Leg “has encountered the least opposition.” The others had nowhere near the agreement on alignment or architectural treatments.

Senator Metcalf asked if the District had considered boring the tunnel instead of using the cut-and-cover method. General Duke said that at about \$71 million, the cut-and-cover tunnel was already an expensive project. Changes such as boring the tunnel would increase the cost considerably. He said, “one of the basic problems involved in this project is blending the beauty and the inconvenience on one hand with the cost of the project on the other hand.” If Congress approved the bill, the city would immediately hire a consultant to “decide answers to some of these questions right now with respect to the length of the tunnel, the type of the tunnel and this sort of thing” The consultant also would prepare a model of the facility. The District had not reached that stage because highway officials did not want to hire a consultant for detailed work before receiving permission from Congress for crossing under the Capitol grounds.

Senator Metcalf had to leave the hearing before he completed his questions, but he summarized his concern:

I think that we too would like to have a little more information before we give you permission to trespass on our property. I don’t want to get into a chicken or the egg sort of a situation, but it would seem to this Senator that we would have some sort of an idea as to what kind of approaches and how many acres are going to be taken and what the ramps are going to look like and things of that sort that are very difficult for us who are not professional engineers to conceive.

I think some of the concern that we have is because we don’t feel that your plans are quite established and full enough so that we can give permission for trespass. [pages 45-50]

Senator Cooper introduced a letter from Admiral Phillips, who could not be present to testify, but wanted to express the views of the Committee of 100 on the Federal City. The committee “strongly supports the concept of tunneling beneath the Mall but is gravely concerned about the location and design of the freeway north of Constitution Avenue”:

The Committee of 100 believes that tunneling is imperative for such freeways as must be built in the heart of the Nation’s Capital. We can ill afford more Chinese walls such as the Southwest Freeway or the E Street Expressway now under construction. The proposed tunneling beneath the Mall is an important first step, but the rest of the city’s core, no less than the Mall, deserves like treatment.

Therefore, the committee hoped that Congress, if it approves the bill, will amend it to require that “any continuation of the freeway north of Constitution Avenue likewise be tunneled so as to minimize or eliminate the undesirable features that would otherwise result from the open-trench design.” [pages 50-51]

Senator Cooper suggested that if the tunnel were extended the length of the Center Leg, the number of people displaced would be reduced and the taxable property involved would not be lost. General Duke replied that while such a project would be technically possible, he would question whether it “would be practical and feasible” to prevent relocations or destruction of businesses.

Senator Cooper replied that he wanted to be sure that the idea of extending the tunnel was at least considered by the District and BPR. “Will that be done?” General Duke replied, “Absolutely, sir,” adding that the current plan was “a very rough thing,” subject to review by NCPC and the Fine Arts Commission “from the standpoint of the beauty of the area and the aesthetics of the area.” The tunnel would be extended “to the proper length with these factors in mind.” However, he did not think those agencies “would necessarily indicate that the tunnel would be extended even further than the esthetics might require, for the express purpose of preventing relocation.”

Will the District consult with the Fine Arts Commission? Absolutely. Was it not strange that NCPC withheld its approval until seeing the design and model of a freeway that Senator Metcalf called “a ditch”? “No, sir.” Should Congress not have the same advantage of seeing the design and model before voting on the bill? General Duke understood Senator Cooper’s and Senator Metcalf’s concern, but “I can assure you that the design of the center leg will, I am sure, relieve your mind of such concern.” The city was following the same procedures, in cooperation with BPR, as every State.

Senator Cooper reminded General Duke that there is a difference. “This is the Capital City I think there is a great deal of responsibility for preserving the beauty not only for today but for the future, and you have responsibility to do that under your job.” He was concerned that the city expected Congress to approve “a bill which would give you carte blanche to do whatever you want to do, and that we would have no authority to do anything else about it.” He thought that if the hearings had accomplished anything, it was the assurance that the city would consult with the Fine Arts Commission and produce plans for NCPC to review “because these agencies are

concerned not only about the construction of the center leg, but the effect upon the beauty of the city.”

Senator Randolph pointed out that General Duke had testified during the previous hearing that the city intended to do those things. The Senator did not object to having these commitments put on the record, “but I would want to point out that we haven’t had to pull this out of General Duke, because he said it before.” General Duke pointed out that Section 2 of the bill addressed this very subject by requiring the permission of the Architect of the Capitol and would be subject to any conditions he prescribed.

Senator Randolph said that he, like every member of Congress, was concerned about the beauty of the Nation’s capital. However, “there is the process of change which must necessarily be part of our life.” When he bought a residence in the District (at 4608 Reservoir Road, NW., in Foxhall Village near Glover-Archbold Park), it was “a rather quiet location, somewhat removed from the hurry of the city.” This condition changed over the years, “and now the cars are constantly moving by this residence, and sometimes backed up for blocks.”

The congestion he saw every day was basically a reflection of the area’s transportation problems. “I could conceive of nothing worse for the District of Columbia than to allow ourselves to bring about insufferable congestion . . . by prolonged consideration of projects that are vital to the fulfillment of the Interstate System.” He added, “I say this with due deference to the needs here of the preservation of the beauty and integrity of the Capitol Grounds themselves.”

Senator Randolph wanted the record to reflect that “this is a matter of concern to be sure. It is also a matter of immediate need. It is also a matter of consultation and counseling.” He was confident that General Duke would ensure all consultations are conducted and that construction would not begin “until the answers to the questions that Senator Cooper and others have advanced are clearly enunciated.”

The hearing came to an end. [pages 52-55]

The *Star* and *Post* recognized that obstacles had been placed in the path of the bill. Lee Flor wrote that General Duke “came under a barrage of cross-examination about the freeway” from Senators Cooper and Metcalf. The hearing “also brought rumbles of protest” from NCPC and the Commission of Fine Arts. Jack Eisen wrote that although the bill moved a step closer to approval, the “hearing didn’t make it sound that way.” He also mentioned the “unusual parliamentary situation” of the bill, which the subcommittee had approved with the condition that the full committee would not act on it. Senator Randolph said he held the subcommittee’s additional hearing “to let his colleagues develop a hearing record, presumably to oppose approval.” [Flor, Lee, “D.C. Engineer Quizzed on Freeway Planning,” *The Evening Star*, June 19, 1964; Eisen, Jack, “Tunnel Under Mall Moves Step Nearer to Senate Approval,” *The Washington Post and Times Herald*, June 20, 1964]

On June 22, General Duke wrote to Whitton in response to the Midtown Business Association’s criticism of the Inner Loop. General Duke did not reply sequentially to each of the association’s 10 points, which he said were “somewhat repetitive.” As for the value of the Inner Loop, it was

similar to inner loops in other cities, had received BPR approval, and would “serve to distribute traffic destined for the District into the downtown area, thereby relieving the city streets from the choking traffic congestion which otherwise will continue to worsen.” It will “be of value to Washington businessmen and residents.”

All highway construction was financed by user taxes, such as the gas tax, so the association’s assumption that Washington residents and businesses would have to pay for freeways that would primarily benefit suburban commuters and others from out of town was in error.

The association was correct that a few organizations opposed the Center Leg, but “the overwhelming majority, including all of the official agencies responsible for transportation planning, have been in favor of the project.”

As for the prospect that the Inner Loop would result in tax loss from acquired properties, the association’s assertion was contrary to experience in other cities “and it is specifically contrary to our experience to date in areas adjacent to our Southwest Freeway and the so-called ‘Foggy Bottom’ area adjacent to elements of the Potomac River and E Street Expressways.”

General Duke agreed with the association that the city had a number of serviceable arterial streets, “but there is no refuting the fact that they are presently heavily congested with traffic and will become more so unless proper additional facilities are authorized and built.”

The association also had referred to the families and businesses that would be displaced as a result of the Inner Loop. The city was dedicated to keeping such losses to a minimum, in part by considering alternative routings. “Once the route is adopted, however, we will lessen the impact on those affected by all means at our disposal.” The city saw great potential for relief in the use of air rights over freeways.

Finally, he pointed out that the Washington Board of Trade, Downtown Progress, and other organizations representing downtown businesses supported the Inner Loop. The city was “convinced that this improvement is definitely in the overall public interest.”

Whitton submitted the letter to Senator Randolph for the hearing record on July 1. [pages 14-15]

Final Action on the Center Leg Vehicular Tunnel

On July 1, the Senate Committee on Public Works approved H.R. 10392. The committee’s report described the project, discussed the hearings, provided a section-by-section summary of the bill, explained the traffic relief it would provide, and offered “Committee Views.” The committee, the views section stated, was satisfied that the Center Leg was an integral part of the Inner Loop and of I-95, and would relieve traffic on city streets.

The bill, the views section continued, was concerned only with the segment that would be built under the Capitol and U.S. Botanic Garden grounds, not any other part of the Inner Loop. Construction was to begin in early 1965 and take 2½ years. The committee saw “no detriment to the esthetic values of the Capitol Grounds and surroundings.” The city would consult with NCPC and the Commission of Fine Arts on final design of the tunnel and approaches. Before the

end of construction, the city would restore the grounds to the satisfaction of the Architect of the Capitol.

The report included Senator Cooper's individual views. "I oppose approval of H.R. 10392 because I do not believe Congress has received adequate information and justification at this time for such legislation." Neither the city nor BPR had prepared detailed plans for the Center Leg even though the tunnel constituted 25 percent of its length. NCPC had approved the general concept, but was withholding final approval until it could review the detailed plans:

It seems to me that the Commissioners of the District of Columbia, in asking the Congress to approve a tunnel under the Capitol Grounds before it has developed detailed plans for the entire project and before it has secured the approval of the National Capital Planning Commission is putting the cart before the horse [sic].

The Committee on Public Works did not have the authority to dictate alignments, but it did have the responsibility to protect the use and beauty of the Capitol grounds. Although the Center Leg would be placed in a tunnel under the grounds, "the segments at either end of the tunnel would be in an open cut below the ground level." Additional roads would be necessary at the exits to accommodate traffic. "There is no way of knowing now what the impact of these additional roads immediately adjacent to the Capitol Grounds would [be] upon the use or beauty of these grounds."

Senator Cooper acknowledged General Duke's commitment to consult with NCPC and the Commission of Fine Arts "but the record shows that no model or detailed plans have yet been submitted to either of these agencies." The Senator was concerned about encroachments on the Capitol Grounds "and a lack of concern by the Congress about the effect of construction projects, both private and public, upon the beauty and use of the Capitol Grounds and the Federal City itself." He urged Congress not to approve the bill "until we have more adequate information." [District of Columbia-Interstate Highway Program Center Leg of the Innerloop [sic] Freeway System, Committee on Public Works, United States Senate, 88th Congress, 2d Session, Report No. 1161, July 1, 1964]

When the Senate sought unanimous consent to take up the bill on July 2, Senator Cooper objected, thus postponing the debate, for parliamentary reasons, for a week. The *Star* reacted to the maneuver by saying that if the Senator was worried about esthetics on Capitol Hill, "he is barking up the wrong tree." The reason the segment would be in a tunnel was "to get it completely, totally, forevermore out of sight," with the side benefit of removing a lot of traffic congestion that "makes Capitol Hill today anything but attractive."

Senator Cooper said he would like to see the completed plans and maybe a model of the proposal "before approving the simple bill authorizing the District to cross two little tips of land under the jurisdiction of Congress." The fact was that a model would be prepared early enough to be changed to the satisfaction of NCPC, the Commission of Fine Arts, the Architect of the Capitol "or anyone else in authority." First, the District needs congressional approval of the tunnel before securing Federal-aid funds to begin detailed design.

With the House and the Senate Committee on Public Works having approved the bill, the editors hoped Senator Cooper would not make any further trouble on the Senate floor:

He has no need to. It is [a] safe guess, that this project will be under closer scrutiny from Congress, at every step of the way, than any road in Washington history. [“Unnecessary Roadblock,” *The Evening Star*, July 6, 1964]

The Senate considered the bill on July 8. Introducing the bill, Senator Randolph explained its provisions. Inviting the attention of Senator Cooper, he said the tunnel would not have any adverse impact upon the Capitol grounds, saying “on the contrary, it would enhance the Capitol, so far as it would siphon underground much of the transient traffic that now crosses the Mall in areas immediately adjacent to the Capitol.” He emphasized that the bill was “permissive; it is not prescriptive.” It allowed District authorities to construct the tunnel at the designated location. “It would not designate the alinement of the center leg, nor would it authorize the construction of any other segments of the inner loop freeway system.”

For those still concerned about the results, Senator Randolph quoted from the hearing transcript about the District’s commitment to coordinate detailed plans and a model with NCPD, the Fine Arts Commission, and the Architect. In short, “General Duke has given every assurance of his intention to cooperate fully with other responsible agencies on this matter He can do no more until the Congress . . . grants the authority to construct the tunnel under the Capitol Grounds” and funding becomes available for the next steps.

After Senator Randolph and other members of the Committee of Public Works engaged in supportive colloquies, Senator Cooper introduced a motion to recommit H.R. 10392 to the committee “with instructions to report the bill back to the Senate not earlier than the beginning of the next session of Congress (or Apr. 1, 1965).” In some ways, H.R. 10392 was a minor bill affecting only the District and the Capitol Grounds. “It is rather difficult to arouse much interest in a bill of this type.” However, “there are important questions connected with the bill.” Approval would commit the Federal Government and the District to spend about \$71 million even though in the absence of detailed plans “we will enact a bill without knowing how it will affect the use and beauty of the Capitol Grounds.” Congress ought to be more concerned about appearances. Some intrusions were innocent, “but sometimes we wake up to find out that something has happened to the Capitol Grounds, or to the city, and we have made it possible.” He said that Administrator Whitton had testified that BPR had not considered any alternatives to the tunnel alignment.

He referred his colleagues to a model exhibited in the rear of the Senate chamber. It had been prepared, not by the District or BPR, but “by a business group in downtown Washington.” It will give the Senators a conception of what the Center Leg will look like (although he emphasized that neither the District nor BPR had approved the model).

Senator Cooper was concerned that if Congress agreed to the bill before detailed plans were prepared, before an official model was made, before NCPD, the Fine Arts Commission, the Architect, and others had a chance to see it, “every agency will be told, ‘Look, we have secured

the authorization from Congress. Now you must approve this center leg' for the estimated cost of \$71 million.”

If the District prepares detailed plans and BPR approves them, “and if these plans were reasonable, and preserved the use and beauty of the Capitol Grounds, I believe that the Congress would approve them.” His objection was to being asked to approve the plans before they are prepared in detail and to the satisfaction of appropriate authorities.

Senator J. William Fulbright (D-Ar.) interrupted to ask if he heard correctly that no alternatives had been considered. When Senator Cooper said that was correct, Senator Fulbright asked why not since surely some alternative must be possible. Senator Cooper assured his colleague that alternatives were available, including tunneling the entire Center Leg.

He was concerned about the general tendency of Congress to approve projects before final plans were available. He cited examples such as the Senate Office Building, the Rayburn Office Building, and Lafayette Square where the Court of Claims wanted to tear down several old structures for a new court building even though the building could have been built anywhere in the city.

He referred to Chairman Rowe's testimony that NCPC had approved the Center Leg in concept but would not give final approval until it had a model to review. “If the National Capital Planning Commission can demand a model, it seems to me that the Congress can demand a model also before it approves this construction.”

Senator Clifford Case agreed with Senator Cooper. “We in Congress must assume greater responsibility than we have assumed up to now, not only with respect to structures affecting the capitol area, the area in which the Capitol Building and surrounding buildings are located, including the park, and so forth, but also with respect to the whole city.” He did not want a stone turned, a building destroyed, a building erected unless it was in conformance with “a well-designed plan for all public works in the city.” He added, “That is particularly true with respect to highways”:

When we drive out to the airport, for example, and cross onto the southeastern loop—I believe that is what it is called; it is the only part that has been constructed—we are appalled to see what the construction of that small segment of the particular highway project involved has meant to a great area of this city.

Considering that each leg of the Inner Loop has no meaning without the others, he said:

. . . we should not put another penny into the planning and certainly not into the execution of the highway system of this city until we know what the completed job will be like; and we should not go along, authorizing it little by little, bit by bit, each bit of which will be used as an argument for the creation of the next segment, with the result that the whole city will be destroyed.

(In describing his trip along the Southwest Freeway to Washington National Airport, Senator Case apparently was not aware that the widespread destruction of the southwest quadrant of the

city was the result of redevelopment plans, not the freeway. The Senator, based in Rahway, New Jersey, where many constituents likely worked in New York City, lived at 1236 30th Street, NW., between M and N Streets several blocks west of Rock Creek Park.)

Senator Fong observed that funds for the Center Leg would remain available through 1972, while Senator Cooper was asking for a delay of only 10 months at most. “I believe the Senator should be accorded the 10 months’ delay.”

The Senate rejected Senator Cooper’s recommittal amendment, 26 to 39. With the amendment rejected, the presiding officer ordered a third reading, the final parliamentary step before passage of the bill.

Senator Thomas H. Kuchel (R-Ca.), who had voted in favor of the amendment, interrupted the procedure to say that he and many other Senators had missed the debate because they were attending an all-day hearing. He asked to be reminded of the issues under discussion.

After further debate, Senator Kuchel introduced a motion to recommit the bill to committee. A parliamentary discussion ensued about whether the motion was in order after the Senate had rejected Senator Cooper’s amendment to recommit only 10 minutes earlier. The new motion was ruled in order because Senator Cooper’s amendment included instructions about timing and the new motion was a straightforward recommittal.

The subsequent debate reiterated the issues. Senator Dirksen, the former chairman of the House District Committee and the Senate District Committee, offered his view:

Mr. President, no one shall say that I have been indifferent to the affairs and needs of the District of Columbia But this matter is not so world shaking that nations are going to rise and fall by having the project delayed for a little while. After all, \$71 million is not hay, even in Washington; and that evidently is the amount here involved.

We had better make up our minds that if we ever start on this project, there will be scaffolding and construction tools and mountains of earth and excavations all over the place, and that will probably be our “dish” for a matter of 4 or 5 years. I would rather not venture into this matter so lightly.

He cited Virginia Avenue, which he used daily in his commute (from Broad Run Farms, Sterling, Virginia). “It has been so torn up that one must zigzag in and out.” He said he “was content to wait a little while until there is complete and well rounded advice on the question.”

Senator Kuchel’s motion was rejected 25 to 39. The presiding officer then completed the third reading and declared the bill passed. [Vehicular Tunnel Under Parts of the U.S. Capitol Grounds, *Congressional Record-Senate*, July 8, 1964, pages 16106-16115]

On July 14, the District commissioners approved the route of the Center Leg between the Southwest Freeway and New York Avenue, NW. The *Star* described the route:

From its connection with the Southwest freeway, the Center Leg will tunnel under the Mall at Second and C streets S.W. to near Third street and Constitution avenue NW. Congress recently approved the legislation to authorize this tunnel which edges onto Capitol property, and it is now awaiting signature by President Johnson.

After emerging from the tunnel, the Center Leg will follow a corridor between Second and Third streets N.W. until it reaches K street, where it will veer over into the corridor between Third and Fourth streets N.W.

Use of this route will save some major church buildings, but will require the razing of the Miles Memorial Church building at L and Third streets N.W.

Churches which had been threatened but are now spared by the new route are Holy Rosary Catholic Church, Third and F streets; Bibleway Church, Third and L streets N.W., and the Mount Carmel Memorial Church, Third and I streets N.W.

The plan would require demolition of small commercial establishments, apartment houses, and single family homes displacing about 1,200 people.

The commissioners' approval meant that District highway officials could begin developing detailed plans for the freeway. General Duke told highway officials "to work in the early stages with the Fine Arts Commission and the Planning Commission to insure that a proper aesthetic treatment is given."

The commissioners regretted that Congress had not approved the legislation requested in 1963 authorizing the District to pay relocation costs up to \$200 for an individual or family and up to \$3,000 for a business. The Senate had approved the bill. However, Representative John V. Dowdy (D-Tx.), chairman of the House District subcommittee handling the bill, said the bill "got so badly messed up" with his District urban renewal investigation that it became sidetracked. Chairman Dowdy was not sure when his subcommittee would act on the bill. "I had hoped to have it in the urban renewal bill," presently awaiting House action.

Commissioner Tobriner and General Duke referred to the bill as "vital." Maryland and Virginia had such laws. General Duke said that "this means all we can do is pay a property owner the fair market value of his property under eminent domain. We will not be able to pay relocation or moving costs. Therefore we would like to reiterate our support for the legislation which would permit us to pay these relocation expenses." [Pierce, Charles D., "D.C. Approves Central Leg of Freeway," *The Evening Star*, July 14, 1964]

President Johnson approved the bill, known as the Capitol Grounds Tunnel Authorization Act, on July 21, 1964 (Public Law 88-381), without comment.

The Georgetown-Rosslyn Bridge

During the first half of 1964, the consulting firm of Howard, Needles, Tammen and Bergendoff was studying two alternative sites for the Georgetown-Rosslyn Bridge. By June, Representative

Broyhill was increasingly impatient. On June 29, 1964, he wrote to Engineer Commissioner Duke to protest the “confusion and delay” in selecting the site:

It is well over a year ago that a new trial balloon was inflated on a site between Key Bridge and Theodore Roosevelt Island. I feel I speak for all in now demanding that an end be put to such a ridiculous situation.

Broyhill recalled the December 11 meeting in 1963 when District, Virginia, and Federal officials “agreed that the need of a prompt resolution of the question would be recognized by a continuing sense of urgency in all further actions.” Nevertheless, another 6 months had passed “and there has yet been no announcement of any decision on the site for the bridge.” He told General Duke:

The December meeting was held in response to a strong expression by a tired and irritated public calling upon their officials to end the delay. Our citizens had been too long subjected to announcement of first one site and then another and still another with controversies springing up after each new proposal.

Albert Grant, the District Highway Department’s planning chief, told reporters the consultant’s report would be ready in August. It would cover a location downstream of Key Bridge, opposed by Virginia officials, and one upstream. Colonel John Israelson, assistant to General Duke, said that District officials shared Representative Broyhill’s impatience, but fund limitations had prevented an earlier reporting date. When officials receive the report, he said, it will be submitted to the Policy Advisory Committee for review.

Representative Broyhill recommended that when the report is ready, all officials involved should meet to decide on the site and “prevent additional trial balloons from being shot down.” [“Broyhill Protests Delay in Selecting Bridge Site,” *The Evening Star*, June 29, 1964; “Broyhill Prods District On Potomac Bridge Site,” *The Washington Post and Times Herald*, January 30, 1964]

Star editors agreed that Representative Broyhill was raising “a timely inquiry,” since after the December 11 meeting, officials expected the study to take 3, maybe 4 months. Now, nearly 8 months had passed. “No consultants’ report. No decisions. No nothing.” The editors recalled how excited General Duke had been when the Policy Advisory Committee “had at least conceded the need for *some* new bridge at *some* future time in *some* location near Key Bridge.” That, however, was merely a victory in one skirmish in a long war. “It is time now to move on the next battlefield.” [“Good Question,” *The Evening Star*, July 3, 1964; italics in original]

A month later, Mr. Leslie Logan, president of Arlingtonians for the Preservation of the Palisades, reported that he had learned from a reliable source that the consulting firm was studying three sites for the bridge, not two as everyone had thought. The three sites, he said, were clustered near the mouth of Windy Run on Arlington Bluff above Three Sisters Islands. Logan’s organization opposed any bridge between Spout Run and Windy Run. He said a bridge between those points would “bury their homes and park land under concrete.”

Facing criticism for this possible intrusion on the Palisades, Arlington County Manager Johnson reluctantly told the Arlington County Board that the consultants were studying only three sites, including the two known sites upstream and downstream of Key Bridge, and one that would touch the Palisades upstream from Three Sisters Islands. He knew this because he had seen a rough draft of the report, which county officials were fact-checking. The final report had been delayed until September after BPR suggested the third site. He refused to divulge the specific locations under study, claiming that at this point the report was technically the consultants' property.

Johnson told the board that the consultants were analyzing only the three sites as well as their potential traffic, economic, social, and aesthetic impacts. Their report "will not be a coercive document and will not express a preference for one location."

In response to Logan's claim that the board had secretly taken a position on the location, Vice Chairman Richards said:

I reiterate and emphasize that no stand has been taken, and no stand will be taken until the consultants' report is available. [Kelly, Brian, "Third Site Being Studied For New Potomac Bridge," *The Sunday Star*, August 9, 1964; Lescaze, Lee, "Bridge Site Eyes North Of 3 Sisters," *The Washington Post and Times Herald*, August 9, 1964]

Officials finally released the consultants' 97-page report on September 18. As Johnson had said, it did not identify any of the sites as superior to the others. The estimated cost of each bridge was in the range of \$53.4 million to \$59.5 million. This "comparatively slender" difference in cost, the report said, should not be a factor in the final choice.

The *Star* and *Post* summarized the findings. According to the *Star*, site 1 downstream from Key Bridge "would have engineering and traffic problems around Rosslyn":

Plan 1 would require tunnels under Rosslyn plaza, extensive reworking of the George Washington Memorial parkway [sic], and apparently would create a "mixing bowl" whereby different streams of traffic would have to weave back and forth at full speed. Costly construction with difficult grade problems would be necessary to eliminate this dangerous weaving, they said.

The *Post* added:

The site below Key Bridge would require "a considerable length of ten-lane highway" on Interstate 66 between Lee Highway in Arlington and Rosslyn Circle.

A route with ten lanes in Virginia, they added, would create operational difficulties and would send the cost of retaining walls on both sides of the Potomac up to \$5 million.

The bridge itself, in this location, the consultant said, "competes esthetically with the monumental Francis Scott Key Bridge" next to it, but would mean "practically minimum disturbance to the Virginia and District shores."

They also said the route would mean demolition of most of the Whitehurst Freeway, which the other plans would retain as the westbound segment of the new Potomac Freeway.

The second site, as described in the *Star*, was north of Key Bridge:

The consultants said that since this would not require building extra freeway facilities through Rosslyn, the plan is much simpler than Plan 1. Maintaining traffic in Rosslyn would be simpler and much of the difficult weaving problem in Plan 1 would be eliminated.

In addition, westbound trucks on the Potomac Freeway would be able to get onto the new bridge only from the left, high-speed lane. Cost construction problems would be involved if merging of high-speed traffic going in different streams were to be avoided on the Virginia side.

For aesthetic reasons, the consultants included two tunnels bored through the high cliffs on the Virginia side of the river. They would be “relatively expensive,” but are feasible.

The *Post* added that this alternative, a few hundred yards north of Key Bridge, would “require only six lanes for I-66 east of the approach to the new river crossing.” The tunnels, according to the consultants, could be built by cut-and-cover techniques, but boring the tunnels would reduce public objections.

The *Star* said that site 3, the alternative that BPR had suggested, called for “a short freeway spur through a high-class Arlington County residential area, with a bridge crossing the river west of the Three Sisters Island in a general line with O street in the District of Columbia.” The *Post* added:

The route, near the Reservoir, would provide “the best distribution of traffic” between I-66 and I-266 (the designation for the new bridge and its approaches), the consultants said, because the two routes would be entirely separated from each other.

But this plan, unlike the other two, does not contemplate a Potomac River Freeway connection with Foxhall rd. and MacArthur Blvd. on the District side. It would also involve an open cut through the Palisades on the Virginia side.

The *Post* summarized:

Under all three proposals, highway officials said, Key Bridge traffic would not be able to get onto the Potomac River Freeway and vice versa. The present connections between Key Bridge and the Whitehurst Freeway, they said, would be eliminated.

Further, the consultants concluded that the crossing, whenever built, would be critically needed even with “an improved mass transit system in location.”

Each site would require relocations:

- Site 1 – 600 people, including families in 90 single-family houses.
- Site 2 – 650 people including families 106 single-family homes.
- Site 3 – about 700 people, including 139 families in single-family homes.

“Most of the relocations would be necessary in Arlington,” Flor wrote.

Reactions to the Bridge Report

The Policy Advisory Committee met for 2 hours to discuss the report. General Duke told reporters after the meeting, “We don’t want to give anyone the impression, by any stretch of the imagination, that the committee has any preconceived views.” The committee would not decide on the location until after a public hearing in November. He anticipated that the committee would complete its decision by the end of the year. [Flor, Lee, “3 Rosslyn-D.C. Bridge Plans Analyzed, but None Indorsed,” *The Evening Star*, September 18, 1964; Lardner, George, Jr., “3 Choices Offered for Bridge Site” and “Committee Will Await Public Reaction Before Deciding on Site for Bridge,” *The Washington Post and Times Herald*, September 19, 1964]

Arlington County Board Vice Chairman Richard said he was “appalled by all three” alternatives and explained that “the two upriver locations do serious damage to the Palisades and the lower one is such a mass of concrete that it will be unacceptable in Rosslyn.” He added, “I do not think our community will find any of these acceptable.” Chairman Roye Lowry said he would “reserve judgment” but was concerned. Under one plan, he said, “there’s at least one place where there would be 17 lanes of concrete marching up Route 66 out of Rosslyn.” The county was planning public outreach opportunities as the board developed its official position.

Arlingtonians for Preservation of the Palisades did not wait for public outreach. Its executive committee held a meeting on September 19 before issuing a statement opposing all three alternatives. “The consequences of the projected crossing would be calamitous to us and to Arlington County.” The report, Logan said, had not convinced the group of the need for a link between I-66 in Virginia and the Potomac River Freeway in the District:

The widespread acceptance of the [Capital] Beltway has destroyed the validity of all traffic surveys made prior to its recent opening and has resulted in a complete transformation of the traffic pattern for the area. [Flor, Lee, “Arlington Has Chance To Protest Bridge Plan,” *The Sunday Star*, September 20, 1964; “Arlingtonians Renew Bridge Fight,” *The Washington Post and Times Herald*, September 20, 1964]

A few days later, the group issued a report saying that Virginia and District highway officials justified the new bridge primarily by saying the crossing was needed for trucks that were barred from the Theodore Roosevelt Bridge. The new bridge would not be needed, the report stated, if officials lifted the truck ban, which was based on advice from President Eisenhower to keep trucks away from the Lincoln Memorial area. If there were any question about repaying Interstate funds to BPR, Congress could answer it with special legislation. The report also recalled NCTA’s statement, in its report of November 1, 1962, that the additional bridge was not needed, a recommendation the group claimed was still valid. [“Let Trucks Use Roosevelt Span Citizens Urge,” *The Sunday Star*, September 27, 1964]

On October 13, 26 officials, including members of the Policy Advisory Committee, toured the three sites from a fireboat transporting them along the coast. On shore, participants visited the sites by bus. As they inspected the upstream site that would take the route through the Virginia Palisades, Elmer K. Timby, the primary author of the consultant report, assured the officials that, “Properly done, it could be just as unobtrusive as the George Washington Parkway.”

Returning to the bus, they passed M. B. Matlack of 2700 North 25th Street. Although I-266 would not take his home, it would pass alongside his property. He told the officials, “Most of us back here hate to express ourselves on the bridge because we get profane.”

NCPC Chairman Rowe said she had questions about the traffic justification for the bridge and how many lanes would be needed at the site downstream from Key Bridge. Director Airis assured her, “This is what the tour is for – so you can raise questions and get answers now.” [Lardner, George, Jr., “Officials Inspect Proposed Bridge Sites,” *The Washington Post and Times Herald*, October 14, 1964; “Officials Inspect 3 Proposed Sites For New Bridge,” *The Evening Star*, October 14, 1964]

On November 5, District and Virginia highway officials held a briefing for the Arlington County Board and the Arlington County Planning Commission. The public was invited to attend but this was an opportunity for county officials, not the public, to ask questions and comment on the plans. Highway officials unveiled a 14-page report on Potomac River traffic forecasts for 1985 when the Washington area was projected to have a population of nearly 4 million people. Virginia’s suburbs would increase from 613,000 at present to nearly 1.3 million. Even with the new Georgetown-Rosslyn Bridge and the addition of a span for the 14th Street Bridge, the total lanes across the Potomac River would fall 5,000 vehicles an hour short of the 35,700-an-hour design capacity needed in each direction in 1985. These were, the report stated, conservative projections; population growth since 1960 already exceeded predictions.

The traffic projections considered operation of mass transit at peak load, but in the absence of congressional action, the shape of mass transit could not be predicted. Traffic management techniques, such as carpools and staggered work shifts could reduce peak demand, but “some additional cross river capacity” would be needed to make up the difference.

The report covered traffic moving between the Virginia suburbs and the District. It excluded the Cabin John and Woodrow Wilson Memorial Bridges from the calculations because they were “bypass routes.”

Chairman Lowry asked if the traffic justification for the new bridge was primarily because President Eisenhower “had determined not to allow trucks to use the Theodore Roosevelt Bridge.” He wondered if the new bridge could be avoided if the bridge were opened to trucks. The report addressed this question. The new I-266 bridge “is not planned solely to bring trucks into the District.” In fact, the report stated, trucks would constitute only 8 percent of expected cross-Potomac traffic volumes. As a result, allowing trucks on the new Theodore Roosevelt Bridge would not change the need for the additional crossing.

In conclusion, highway officials stressed that “highway department and transit agencies cannot accomplish these objectives by themselves. Regionwide community understanding and cooperation is essential.”

In advance of the meeting, Arlingtonians for Preservation of the Palisades held its own meeting. The association voted to oppose the upstream site “unalterably.” [Lardner, George, Jr., “D.C., Virginia Squabble Over Bridge Plans,” *The Washington Post and Times Herald*, November 5, 1964; Flor, Lee, “Plan for New Bridges Is Viewed as Inadequate,” *The Evening Star*, November 5, 1964]

On the day of the briefing, NCPC approved the concept and location of a \$12 million two-way, four-lane bridge as part of the 14th Street Bridge to replace the span closed in 1962. Construction would begin in 1966. The vote was unanimous, taken without opposition or debate. However, some commissioners saw the vote in the context of the proposed Georgetown-Rosslyn Bridge. Commissioner Walter C. Louchheim, Jr., told Engineer Commissioner Duke, “Until we can fully appreciate the new facilities, it would seem that we should postpone action on alternatives up the river.”

Chairman Rowe said she voted for the additional span for the 14th Street Bridge in the hope that it would render the upriver bridge unnecessary. Like Louchheim, she argued that if the city replaced the abandoned bridge at 14th Street, trucks could use the new span, thus making unnecessary the new upriver crossing, which advocates said would be used by trucks that were banned from the Theodore Roosevelt Bridge. She pointed out that 14th Street was “closer to the warehouses and employment centers” in the District. “I’ll vote for your bridge,” she told General Duke, “if you’ll vote against the one upriver.”

General Duke replied, “I’m for both. That’s one of the inevitabilities of life—death, taxes and Duke for bridges.” He realized that approving the 14th Street span would “lead to extensive debate” about the need for the bridge near Three Sisters Islands, but said, “I’m willing to take the risk.” He added that he had “complete confidence in the objectivity of the commission regarding the proposal.” He responded to the truck issue by saying that “there’s very little interplay” between the traffic crossing the Potomac at 14th Street and the traffic upstream. [Lewis, Robert J., “Planners Approve Span at 14th Street,” *The Washington Post and Times Herald*, November 6, 1964; Lardner, George, Jr., “NCPC Backs New Bridge At 14th St.,” *The Washington Post and Times Herald*, November 6, 1964]

(Commissioner Louchheim, who had moved to Washington in 1934, was a financial consultant, Democratic Party figure, and patron of the arts. President Kennedy appointed him to NCPC in 1961, a post he held through most of the Johnson Administration, serving as vice chairman for much of that period. He and his wife lived at 2824 O Street, NW., in Georgetown. [Eisen, Jack, “Planning Chief Post May Go To Louchheim,” *The Washington Post and Times Herald*, November 2, 1961; Crawford, Kenneth G., “Walter C. Louchheim, Civic Leader,” *The Washington Post and Times Herald*, February 1, 1973])

On November 6, County Manager Johnson provided a report to the Arlington County Board recommending construction of a Potomac River bridge near Three Sisters Islands. Of the three

alternatives, it was, “the best and only suitable location.” It would require twin tunnels beneath the Virginia Palisades and would connect I-66 with the Potomac River Freeway, with direct connections with MacArthur Boulevard and Foxhall Road. The report suggested shorter, straighter tunnels because they would “save virtually all the houses” in Arlington that were threatened by the original concept. Johnson warned that if a bridge were not built, Arlington County would suffer from more congestion and crashes that would “reduce Arlington’s and Northern Virginia’s competitive position as a desirable place to live, to work and to do business.”

At the same time, Peter Craig of the Committee of 100 on the Federal City released a report attacking the proposed bridge. The report claimed that traffic projections used by District and Virginia highway officials were too high. Only when northern Virginia reached 2.5 million residents would the area reach the traffic levels cited by highway officials. “Such a population is not expected until well after the year 2000, if ever.” Commuters could do without any new bridges for at least 12 years. Craig’s report added that providing new bridges would discourage motorists from shifting to the rapid transit system that was inevitable.

District highway planner Grant disputed Craig’s claim. “Our bridges are up to capacity now. How can they be adequate?” He added, “We can’t continue to stick our heads in the sand.” [Lardner, George, Jr., “Arlington County Manager Urges a Three Sisters Bridge,” *The Washington Post and Times Herald*, November 7, 1964; Flor, Lee, “Span Near Three Sisters Urged in Arlington Report,” *The Evening Star*, November 7, 1964]

Star editors, discussing the three alternatives, said of the debate in Arlington County that “the bridge war has taken a sudden diversionary tack.” Instead of focusing on which location would be best, “several vocal, well-organized citizen groups are challenging the need for any new bridge, under any circumstances, along any route.” Arlington County had asked for facts, and the highway officials had provided them. “The results leave no room for reasonable doubt as to the need for the bridge.” The only question was whether one bridge would be enough.

Facts were one thing. “None of this, of course, will deter angry citizens from pressing their attack at public hearings next week before the county planning commission and the County Board.” The editors hoped that county officials would “confine the testimony, as far as they are able, to the job of finding the most desirable route.” [“Decision in Arlington,” *The Evening Star*, November 7, 1964]

All the witnesses at the Arlington County public hearing on November 9 opposed any new bridge. The bridge was not needed, they said, and if built would ruin the Potomac Palisades. They did not trust traffic projections. Mrs. Milton E. Wertz of the North Highlands Citizens Association said, “The overriding need has not been established The loss of property is therefore not in the public interest and is wholly unacceptable to us.” Mrs. George B. Green of Arlington County Cultural Heritage testified that the Potomac Palisades were part of the county’s heritage and the setting for Arlington National Cemetery and the national monuments in Washington. Her organization was not willing to sacrifice the Palisades for yet another bridge.

Many supported rail rapid transit instead of a new bridge. The Arlington Civic Federation called for a halt to planning for the bridge “until a full mass transit system is approved and designed.”

Too much emphasis had been placed on automobile traffic, with a “great lag in mass transit planning.” The group urged officials “to restore balance in transportation planning.”

Robert K. Gray, who lived on Courthouse Road, agreed, especially in view of likely technological advances:

We resist “one more bridge” proposals which delay the day when we will give rapid transit a chance. In the 1970s, we may be using air cars, vacuum-driven subway tubes, or a method of rapid transit undreamed of today. [“Proposed Span Arouses Critics in Arlington,” *The Evening Star*, November 10, 1964; “Arlington Group Hits Lag in Transit Plans,” *The Evening Star*, November 11, 1964]

The Arlington County Planning Commission held a public meeting on November 12 to question planning staff. It then recommended a moratorium of 3 to 5 years before the county should decide on an I-266 bridge:

Another bridge will tend to slow down the effort to secure rapid transit for the area. While rapid transit may not solve all our problems, we believe that, when a halt is called to the construction of more roads and bridges, we can expect more acceleration for a rapid transit system.

Although population would inevitably increase, the commission did not believe the increase in northern Virginia would “carry with it a similar ratio of increase” in motor vehicle crossings of the river.

In what the *Post* called “a cautiously worded amendment to its recommendation,” the commission said that if the Arlington County Board decided a bridge was needed, a bridge near Three Sisters Islands would be the “least damaging” of the three studied. [“Arlington Planners Propose Delay on Bridge Decision,” *The Washington Post and Times Herald*, November 13, 1964]

In the District, the Democratic Central Committee agreed with those who wanted a moratorium until rail rapid transit was given a chance. In a statement, Lewis H. Ulman, the committee’s deputy planning and housing chairman (and brother of NCPC Chairman Rowe), said:

Sound planning requires that the full impact be first measured of an integrated transportation system with fully operational rail and bus rapid transit. You can’t make adequate traffic forecasts until you’ve got actual mass transit in operation—both rail and express bus.

Despite the numbers invoked by District and Virginia highway officials, another bridge would only “accentuate an already serious imbalance between public and private transportation.” Moreover, a rail rapid transit system would be able to carry 35,000 to 40,000 passengers an hour, approximately the same amount carried by existing bridges during peak periods. Ulman said, “You can’t forecast what the change in commuting habits will be once a subway’s in operation without actually having it there.”

The committee also did not agree that highways and transit were complementary. It wanted a showdown, which it was confident transit would win. ["D.C. Democrats Put Rapid Transit Ahead Of Proposed Bridges," *The Washington Post and Times Herald*, November 13, 1964]

On November 13, the *Star* printed a letter to the editor from Leslie Logan responding to the "rude shock to Arlingtonians" contained in the editorial "Decision in Arlington." Citizens groups in the county, Logan wrote, were proud of the Arlington County Board for "heeding the voice of their constituents and of taking sensible action in asking for full justification for the proposed expenditure of millions of dollars from public revenues." That the bridge was not wanted was reflected, he said, in the November 3 election when candidates favoring preservation of the Potomac Palisades were elected.

Logan also took exception to the reference to "several vocal, well-organized citizen groups" that opposed any bridge anywhere:

We challenge only haste in making decisions based on jerry-built statistics, and in making decisions which are a mockery of the democratic process.

His organization was not anti-highway in general or even anti-bridge. The group strongly supported the new span for the 14th Street Bridge complex, as well as improving and enlarging existing bridges. "We concur in the intent of the Congress to provide a balanced highway-rapid transit system for the metropolitan area."

As Chairman Lowry had stated, Arlington County had nine major arterial highways, with I-66 planned to be the tenth. "Under existing methods of financing highway programs," Logan quoted Lowry as saying, "we can be buried in concrete at no cost to ourselves. But such a free burial is not a community objective of Arlington County."

The *Star* added an editor's note after printing the Logan letter:

Mr. Logan's letter implies that the members of the Arlington County Board are firmly opposed, as he is, to the construction of any new bridge in the Palisades area, and that the board requested the new study in order to bolster the opposition. If this is Mr. Logan's belief, we think he is wrong on both counts." ["Decision in Arlington," Letters, *The Evening Star*, November 13, 1964]

Lowry had written to NCTA's Darwin Stolzenbach seeking clarification on whether the agency stood behind its November 1962 claim that the Three Sisters Bridge was not needed.

Stolzenbach replied:

Our resources and full effort have . . . been devoted to preparation of a rail rapid transit proposal, and we have not, and are not, presently able to up-date our earlier studies to a point where meaningful judgment can be expressed concerning bridge requirements.

Since that 1962 recommendation, "there have been a number of significant developments which must influence any subsequent judgments." One development was that he had signed the unanimous Policy Advisory Committee statement in November 1963 that I-266 should be built

across the river at a location upstream or downstream of Key Bridge rather than at Three Sisters Islands. He added that NCTA concurred generally with the District Highway Department's "methods of forecasting" traffic.

As Lee Flor summarized, the letter "may be used by both supporters and opponents of the bridge." [Flor, Lee, "Agency Letter May Add to Bridge Dispute," *The Evening Star*, November 14, 1964]

By a 3-0 vote, the Arlington County Board agreed with the Arlington County Planning Commission by adopting a resolution rejecting all three study locations for the Georgetown-Rosslyn Bridge. The resolution, which said the bridges threatened the "natural beauty" of the Potomac Palisades, argued that the "real need" was rail rapid transit. The members of the public in attendance, many representing civic associations, applauded loudly.

Chairman Lowry and Vice Chairman Richards considered voting against the resolution, primarily because of traffic projections presented by highway officials. However, they decided to abstain so the resolution would be unanimous when it was presented at the joint public hearing on November 24.

The board voted after a public hearing where only three people favored the bridge: representatives of the Arlington County Chamber of Commerce and the Northern Virginia Advisory Board for AAA, and Arlington resident Paul Neff. Leslie Logan led the many opponents. "There is a puzzling intermingling of figures" in the consultants' report. He questioned the validity of their report because the consultants started with the bias that a bridge was needed. He urged the board to oppose all bridge options until a "balanced mass rapid transit highway system is worked out for the whole metropolitan area." [Lescaze, Lee, "Arlington Leaders Vote Against New Bridge on Potomac," *The Washington Post and Times Herald*, November 15, 1964; Kelly, Brian, "Rosslyn Bridge Plans Rejected by Arlington," *The Sunday Star*, November 15, 1964]

George Lardner, Jr., writing in the *Post*, summarized the situation by saying:

Washington is in the midst of another fight over a subway that hasn't been started and a bridge that hasn't been built. In a town addicted to Grand Plans and Monumental Delays it was perhaps too much to expect anything else.

The anti-bridge brigade has taken center stage for the moment. They want a subway before any more bridges. Highway officialdom is making a show of biting its lip and looking brave. But perhaps it can afford to. The subway has yet to get a penny for construction. Congress has already apportioned money for the bridge substructure.

After months of study of alternatives to the Three Sisters Bridge, "the leading candidate . . . seems to be one very near the old one, between the Three Sisters Islands and Key Bridge."

Without the incentive of the pending vote in the House on Chairman Whitener's bobtail subway plan, some of the Policy Advisory Committee members "seem to be shying away from the 'unanimous' stand" that President Kennedy had found "particularly gratifying." NCPC chairman

Rowe said, “Nobody said the bridge was needed. The statement was very carefully worded.” The committee had agreed to delete a sentence stating explicitly that the crossing was needed. The highway supporters on the committee, including Administrator Whitton, went along with the deletion in the interest of unanimity. After all, they reasoned, “surely the statement that a bridge should be built amounted to a statement that one was needed.”

Lardner recalled the discussion when NCPC approved the new 14th Street span on November 5. Chairman Rowe and Commissioner Louchheim saw it as an excuse to delay a decision on the new bridge near Three Sisters Islands. As discussed earlier, Mrs. Rowe maintained that in view of the new bridge in the 14th Street complex, “further study” of the Georgetown-Rosslyn Bridge was needed. In any event, Lardner wrote, Mrs. Rowe also felt that rapid rail transit should be given favored treatment by downplaying highways. Asked if her attitude might hurt the subway by antagonizing the highway interests, she replied, “I don’t know how important an element that was in the past or will be in the future.”

Rowe also had not let up in her opposition to the North Leg, which NCTA had recommended for replacement with “express streets.” The advisory committee had sidestepped the controversy by calling for as much tunneling as possible.

As reflected in Stolzenbach’s recent letter to Lowry, the NCTA Administrator “is standing mute.” Lardner explained:

NCTA appears to be caught in the middle. The House turned the agency down last year, for a host of reasons ranging from labor policy to who should run the rail transit system. But the noisy freeway-vs.-transit fight was not mentioned as an issue.

Now, however, the fight is popping up again.

Stolzenbach is apparently fearful of offending highway officials on the one hand and fearful, on the other hand, of offending some of his most vocal supporters who still contend that to fight for mass transit means to fight against highways.

Peter Craig, chairman of the Committee of 100’s roads committee, was continuing his fight:

Craig, a long-time freeway critic, contends that the bridges we have now across the Potomac should stand commuters in good stead for at least 12 more years. Rush-hour traffic isn’t really bad, he said.

An attorney who described his freeway fighting as “a part-time hobby,” Craig produced for publication today an 80-page report packed with statistics against bridges. The report challenges in exhaustive detail the traffic estimates cited by the Virginia and District Highway Departments in support of their bridge proposals.

By now, District highway officials just sigh when asked about Craig’s statistics. Which seems to prove something about statistics, whether Craig’s, the District’s, or anybody else’s.

District planner Grant pointed to the city's traffic projections for cross-river traffic in 1985. These projections showed that cross-river traffic would be congested in 1985 despite the coming of rail rapid transit and the 10 additional planned lanes of bridge crossings. [Lardner, George, Jr., "Battle Between Subway, Highway Interests in New Round," *The Washington Times and Times Herald*, November 15, 1964]

The Joint Public Hearing

On the eve of the joint public hearing, the *Post* took on Chairman Rowe. Under pressure from the White House, she had signed the report to President Kennedy unanimously agreeing on potential sites for the new bridge. Now, she had returned to opposition "with the absurd quibble that she only agreed to the bridge's location; she did not agree to building it." Her alternative, at least for trucks, was curious, the editors said:

Instead of a new bridge from Arlington to Georgetown, she would run the Route 66 traffic down through the riverside parks. Trucks and all, it would pour across the parks, in front of Arlington Cemetery, the Kennedy tomb, and the Pentagon, to the 14th Street bridges. There is altogether too much long-distance traffic on those parks now, and this unwarranted invasion of irreplaceable parkland must be firmly resisted.

She and "the misguided Democratic Central Committee" were convinced that people would use rapid transit "if driving becomes sufficiently inconvenient." The editors pointed out that I-66 would largely serve traffic originating in western Fairfax County, which NCTA's current transit plan did not touch. "The campaign against the bridge merely continues a totally profitless stalemate over the city's planning." ["City Nonplanning," *The Washington Post and Times Herald*, November 23, 1964]

The hearing on November 24 took place at the Marriott Twin Bridges Motel in Arlington. The crowd, as judged by their reaction to the presentations, was mostly opposed to any I-266 river crossing.

Airis began with a prepared statement arguing that without the bridge, the existing streets of Arlington and Georgetown would be overloaded. He also pointed out that cities with rapid transit systems were still building "suitable highway networks," including bridges to support them. He cited New York City, which had "the world's largest and probably best subway system and yet also has large and extensive freeways under construction." He pointed out that just a few days earlier, on November 21, the city had opened the Verrazano-Narrows Bridge as a link between Staten Island and Brooklyn in a city.

Albert Grant cited the traffic forecasts demonstrating that the region's highway system was planned to accommodate 1985 traffic "remaining after full projected diversion to mass transit." "We are proposing a highway system which will be totally inadequate if the mass transit system is not built." Highway plans had been cut back "to an irreducible minimum" in view of projections of diversion to the planned rail rapid transit system.

Arlington County Board member Joseph L. Fisher, who had drafted the approved resolution, summarized why the board opposed any of the bridge locations. The board had studied the traffic statistics “but is not convinced that they demonstrate a need for this route at this time.” The board had expressed “emphatic opposition” to the bridge because “the people of Arlington overwhelmingly do not want this route and its bridge.” He added that, “The damages to Arlington will far outweigh the benefits, not only to Arlington but to outlying areas to the west.” I-266 and the bridge would carve up neighborhoods, cut tax revenue, and hurt the Potomac Palisades and commercial property. “In return for these losses, there would be one more bridge to carry cars and trucks into the metropolitan center, which already is choked with vehicles, many of them in futile search of places to park.”

Peter Craig, representing the Northwest Committee for Transportation Planning, said his organization wanted to “defend Northwest Washington and the Central City against this unwanted and totally unnecessary intrusion” by the proposed bridge. The committee opposed all three sites the report had studied. “They are like asking the city whether it wishes to die by the guillotine, the electric chair or the gas chamber.” Based on the estimate that cross-river traffic would amount to 97,000 peak hour trips in 1985, the bridge would be the wrong solution. That would justify a second rail transit line across the river.

Former Representative Robert Hale (R-Me.), representing the Committee of 100 on the Federal City, worried that officials might overlook “the fact that no necessity has been shown” for a new bridge. The District’s traffic projections, he said, had been “wholly discredited.” He said the Year 2000 Plan, which President Kennedy had approved, emphasized that “every attempt should be made to encourage rush-hour use of transit.” More bridges, such as the I-266 crossing, would “destroy this policy by encouraging even greater automobile commuting than exists today”:

Many people speak as if a man’s right to drive to his work all alone in his Cadillac or Continental was a basic American right guaranteed by the Constitution, like the right to life and liberty. This is nonsense.

In what George Lardner described as “politely phrased dissension,” another member of the Committee of 100, Irving C. Root, said he supported the bridge. A former superintendent of National Capital Parks (1940-1950), Root said that neither he nor other supporters on the Committee of 100 had been consulted. He supported rail rapid transit and the District’s freeway system, but said that “needless and mutually destructive contention” had hindered both options.

Leslie Logan said the proposed bridge would “undoubtedly cause the air pollution problem of the metropolitan area to worsen.” He asked, “Who’s going to live here anyway? People or automobiles?” The Federal-Aid Highway Act of 1962 called for a cooperative areawide planning process before major highway or bridge decisions were approved. The opposition of the Arlington County Board should disqualify the bridge. (The 3C planning process would not go into effect until July 1, 1965.)

On behalf of the District’s Democratic National Committee, The Reverend E. Franklin Jackson said that building the bridge would be “putting the cart before the horse.” He recommended improving bus transit and providing rail rapid transit before adding bridges. If additional

highways had to be built, he urged officials to find a solution to relocation problems posed by the North Leg.

Delmer Ison of the area's bus regulatory commission pointed out that "even with rail transportation, rubber-tired vehicles can be expected to be the dominant means of transportation for commuters in the Washington area." Except for New York City, he said, "no metropolitan area has yet devised a public transportation system, rail, bus or a combination thereof, which has been able to attract more than approximately 25 per cent of the commuters."

Robert K. Gray of the North Highlands Association reiterated his view that highway planners were shortsighted:

A study of technological development in the United States supports the very strong possibility that by 1985 the automobile as we know it may be as outmoded as the buggy whip two decades after Henry Ford.

Near the end of the hearing, with many spectators filing out, several pro-bridge witnesses testified. Worthington H. Talcott of the Joint Committee on Transportation for Metropolitan Washington said, "Anyone who says that Washington does not have a disastrous rush-hour traffic snarl is either blind, misguided or a resident of some other city." He had thought the hearing was held "not to determine whether or not a bridge should be built but rather where it should be built." The location decision should be left to "responsible engineers." (The committee represented the Metropolitan Washington Board of Trade, Federal City Council, National Capital Downtown Committee (Downtown Progress), and the Washington Board of Realtors.)

S. A. DeStefano said the Arlington County Chamber of Commerce believed a bridge in the Spout Run Valley would "offer the greatest service to and has the least impact on Arlington."

On behalf of the Fairfax County Chamber of Commerce, Robert W. Grow urged "the earliest possible practicable construction of I-266," with a preference for the site near Three Sisters Islands. ["Few at Bridge Hearing Support Any of 3 Sites," *The Evening Star*, November 24, 1964; Lardner, George Jr., "Bridge Opponents Ask Subway, Clean Air First," *The Washington Post and Times Herald*, November 25, 1964; Flor, Lee, "Hearing Record on Rt. 266 Span Open to Dec. 8," *The Evening Star*, November 25, 1964]

(Admiral Phillips was not pleased by Irving Root's dissenting voice at the public hearing. During the Committee of 100's December 4 meeting, he said, "the overwhelming majority" of members opposed the bridge. That official view had been stated during the hearing. "To give the impression to the public that a steamroller is operating here is most damaging," he said. Root, who had retired from NPS in 1953 to establish a private practice as a landscape architect and planning consultant and lived on Hillcrest Place in Chevy Chase, defended himself, saying:

We need the very best mass transit and the very best highway system we can have. I'm sorry you consider it such an unsavory report.

(With only a few dissenting votes, the Committee of 100 prohibited public pronouncements of minority views after the Committee takes a stand. Members wishing to dissent may do so, but

they should use their own names without citing their membership in the committee. [“Anti-Bridge Faction Muzzles Opposition,” *The Washington Post and Times Herald*, December 5, 1964; “Irving Root Dies; Was Parks Chief,” *The Washington Star-News*, December 12, 1973])

The *Star* editors again took on the “several small but well-organized groups” that had diverted attention at the public hearing from the point: choosing the best location for the crossing. “But you would never know it from the testimony.” Their idea was to build a full regional rapid rail system. “Then see if the bridge is needed.”

First, the bridge was needed now. Without it, the “carefully-planned freeway systems” in the District and Virginia “cannot possibly function effectively.” Second, the “relatively conservative forecasts of traffic” demonstrate that the new bridge was based on “a firm assumption that the transit system *will* be built—and that only through a balanced combination of freeways and transit can the massive traffic volumes predictable in the future be handled at all.”

NCPC Chairman Rowe, the editorial said, had led a similar campaign a few years earlier, with the support of the District Democratic Central Committee, in the belief that delaying freeways would promote the transit system. “It didn’t. It touched off a feud between highway and transit advocates which brought both programs to a virtual halt.” The White House intervened to “restore the sensible concept of a balanced transportation approach—including, incidentally, the new Potomac bridge.” As for the latest efforts, the editorial ended:

Now Mrs. Rowe and her friends, by their latest irrational attacks, are recklessly threatening once again to reopen the same old wounds. If they have any real concern for the transit program, they should stop before it is too late. And if they fail to do so voluntarily, the White House should again step in and stop them. [“Phony Bridge Issue,” *The Evening Star*, November 27, 1964; italics in original]

Two weeks later, NCPC voted against the District’s budget request for the Three Sisters Bridge, as well as the related request for funds to continue the Potomac River Freeway west of 31st Street, NW., in Georgetown. Unnamed sources told reporters that NCPC thought officials should wait until the new 14th Street Bridge is completed before approving another Potomac River crossing. The commission also took into account Peter Craig’s criticism of the District’s traffic forecasts. One unnamed commissioner said the city had “not answered” the critique.

For the North Leg Freeway and North-Central Freeway, NCPC okayed the budget request for “emergency” funds for right-of-way acquisition, but said the city would have to seek NCPC approval before spending any of the funds.

The exact impact of NCPC’s actions was unclear because on budget matters, its actions were only advisory. The District commissioners, the Bureau of the Budget, and President Johnson could overrule NCPC’s actions. However, NCPC’s actions often proved influential with Federal officials. [“Planners Oppose 3 Sisters Bridge,” *The Sunday Star*, December 13, 1964]

The Freeze

The 5-year moratorium Craig had helped secure in the National Capital Transportation Act of 1960 to block construction of the Northwest Freeway was successful. The problem for highway officials was how to get I-70S traffic from Pooks Hill on the Capital Beltway to the Inner Belt in the District.

On a map, the logical entry point was the Wisconsin Avenue corridor. George Lardner, in his column about how different parts of the city protested freeway intrusions, offered some reasons why residents of northwest Washington objected:

- The Wisconsin Avenue corridor would nick the Chevy Chase Club.
- The Wisconsin Avenue corridor would displease some members of the Establishment.
- The Wisconsin Avenue corridor raised the prestigious hackles of the Metropolitan Washington Board of Trade, the Federal City Council, Woodward & Lothrop and the chairman of Riggs National Bank.

These critics favored a riverside link through northwest for I-70S, but that proposal was “subsequently bogged down mainly because of difficulties with parkland.”

Lardner recalled that when the Mass Transportation Survey considered the Wisconsin Avenue corridor:

All the chaps at the Chevy Chase Club had to do, for example, was wait for the late District Commissioner David B. Karrick to show up for a round of golf to tell him what they thought. An old-line Washingtonian, Karrick was not about to preside over the club’s dissolution – or even rearrangement of its golf course.

After two years of hot community debate, Karrick and Engineer Commissioner A. C. Welling outvoted Commissioner Robert E. McLaughlin in April of 1959 to kill the Wisconsin Avenue corridor.

“Boom Boom” Welling (he liked to open new projects with cannon shots) had undoubtedly been cautioned extensively by then to hold his fire on freeway projects through Northwest Washington.

Harland Bartholomew, during his tenure as NCPC chairman, revived the idea, which BPR embraced as the shortest, most direct, practicable alternative for getting I-70S into the city:

That brought out the big guns. Four committees of Congress jumped into the dispute. The upshot was a five-year Congressional freeze on freeway construction through the Northwest west of 12th st., nw.

BPR reversed its position after coaxing from the White House, leaving the option of a less direct alternative as eligible for Interstate 90-10 funds. Maryland officials saw a route along the western edge of Rock Creek Park as the best choice, but NPS and park supporters blocked that option.

In 1962, NCPC and NCTA recommended shifting I-70S from the Wisconsin Avenue corridor to Silver Spring to enter the District in the North-Central Freeway corridor, with a link to the I-95 Northeast Freeway. After I-70S and I-95 came together, they would continue on a single alignment to the Inner loop. BPR had accepted the switch for ICE purposes. The Maryland State Roads Commission had hired J. E. Greiner Company to study alternatives for the North Central corridor. Traffic would travel along the Capital Beltway between Pooks Hill and Silver Spring where the interchange for I-70S would be built. [Lardner, George, Jr., "The Game in Upper Northwest," *Potomac Watch, The Washington Post and Times Herald*, December 28, 1964]

As discussed earlier, concerned Members of Congress from Maryland launched an attack on the freeze to revive the more direct routing for I-70S. The failure of the bobtail plan on December 9, 1963, appeared to give new urgency to lifting the freeze. With Senator Brewster's bill in hand, the Senate District Committee wrote to area agencies on December 20, 1963, seeking their views. ["Views Asked On Freeway Thaw in NW," *The Washington Post and Times Herald*, December 21, 1963]

On January 6, Senator Mansfield, the Majority Leader, announced he would not oppose lifting the freeze as long it did not revive the Glover-Archbold Parkway project. By that point, only one agency had responded to the Senate District Committee's letter. The National Capital Regional Planning Council endorsed the bill. ["Mansfield States Stand On Freeways," *The Washington Post and Times Herald*, January 7, 1964]

The Metropolitan Washington Council of Governments (COG) endorsed the bill on January 23. The freeze was "an undue restriction on the planning process."

On January 25, BPR Administrator Whitton reversed the agency's position that Federal-aid planning funds could not be used to plan freeways in the freeze zone. Jack Eisen wrote:

Whitton touched the administrative blowtorch to the controversial freeze following a new ruling from the general counsel of the Bureau of Public Roads. It held that planning funds could be spent seeking a general route, but not funds for preparing construction blueprints.

Eisen emphasized that the reversal did not mean "a highway through the Northwest to Bethesda actually will be built." [Eisen, Jack, "Metro Unit Hits 'Freeze' On Freeway," *The Washington Post and Times Herald*, January 24, 1964; "U.S. Planning Funds Are Ruled Usable on N.W. 'Freeze' Route," *The Washington Post and Times Herald*, January 26, 1964]

Getting I-70S into the City

Regardless of the fate of the freeze, Chairman Funk was awaiting results of the Greiner study of Maryland's proposed 10-lane North-Central Freeway. With the Potomac River, Wisconsin Avenue, and Rock Creek Park corridors blocked, the new alignment east of the park in the Baltimore and Ohio Railroad corridor seemed the best alternative.

The study, expected to take 6 months when the contract was awarded in mid-1962, was still not completed in September 1964. However, on September 30, 1964, Lardner reported:

District and Maryland highway officials have been sitting all summer on a long-awaited report on the North Central Freeway that seems sure to touch off a storm in Silver Spring Ordered more than two years ago, the report is still in preliminary form.

Officials had received the report in June, but after saying they would release it without delay, had postponed announcements about its content:

Concern by Maryland road officials over the suburban stretch apparently has caused most of the delay. A review committee of highway officials has been working with the consultants on the report's final version.

Officials refused comment on the recommended alignment. Airis said, "It's not ripe yet," and refused even to say how many lanes the freeway would contain. He promised to make it public on November 5. He indicated that the report had been delayed because "we've had trouble nailing down the [Inner Loop] system in the District." Funk would say only that the freeway in Maryland would tie in with the Beltway "east of the B&O tracks."

Nevertheless, Lardner saw a clue in the numbering of Capital Beltway interchanges:

Interchange 21 is at Georgia avenue and Interchange 23 is at Colesville road (U.S. Rte. 29). In between is Sligo Park Golf Course and Holy Cross Hospital—but no interchange 22.

Funk did say that officials planned to hold a public hearing, tentatively scheduled for December 14 in the Silver Spring Armory, before making a final proposal. "It looks to me like most of the pros and cons will develop concerning the county location. It's a much more difficult problem there than in the District." [Lardner, George, Jr., "Freeway Report May Touch Off Suburban Storm," *The Washington Post and Times Herald*, September 30, 1964]

Chairman Funk joined Airis for a press conference at the District Building on November 9, 1964, to announce the results of the study by J. E. Greiner Company. Greiner had identified an 8.8-mile corridor, known as "Railroad-East, Sligo," for a 10-lane freeway that would include reversible middle lanes that could eventually be used exclusively for express buses or a rail transit line. The recommended route was the best of the 18 corridors studied for the route.

In the District, the freeway would begin at the Inner Loop near Rhode Island Avenue, NE., to the north of Union Station, just east of the railroad tracks. It would run east of the railroad tracks (13th Street, NE., to Michigan Avenue, NE.) and continue east of the tracks to Buchanan Street, NE., staying east of Catholic University, but cutting through Catholic Sisters College. On the way to the District-Maryland line, the corridor followed the tracks to Kansas Avenue, NE., before cutting away from the tracks to parallel North Capitol Street. The report estimated that the 3.54-mile segment in the District would cost \$75,053,000.

From the east side of North Capitol Street, it would cross the State line into Maryland while turning west to pass north of Montgomery Junior College to Colesville Road. The freeway would run along the north edge of the railroads tracks before curving northward east of 16th Street extended. At the intersection of 16th Street and Georgia Avenue, the freeway would

begin curving toward the Capital Beltway at Sligo Park Creek before continuing on the west side of the park to University Boulevard. The estimated cost of the 5.31-mile segment in Montgomery County was \$53,151,000.

The North-Central Freeway would have an interchange with I-95, known as the Northeast Freeway, east of South Dakota Avenue in Fort Totten Park between Galloway and Gallatin Streets. The two routes would continue on a combined freeway to the Inner Loop.

The freeway would require the taking of the homes of 1,310 families, the fewest of the 18 routes studied, in part by running parallel to the Baltimore and Ohio Railroad tracks wherever possible.

The District's new relocation agency, authorized by Congress in legislation signed on October 6, 1964 (Public Law 88-629), would help those displaced by the freeway to buy or rent new quarters. In addition, Greiner pointed out that the Housing and Home Finance Agency's mortgage program for low and middle income families could help provide replacement housing.

Based on normal turnover, Greiner predicted that displacees would be able to find housing within 10 blocks of their former homes in no more than 2 years. Speaking of District residents, the consultant report stated, "Relocating of displaced renters could be accomplished in about a year by utilizing existing housing." Greiner recommended construction of housing near the freeway to provide for relocatees as well as to replenish the city's housing stock. "Planning for such construction could be performed sufficiently in advance of the Freeway construction to allow for direct relocation."

Some of the loss of taxable property would be made up by the use of airspace over the freeway, which also would be used to provide housing for displaced families. New housing, with affordable rents, could be built over the freeway. The report singled out a 6¾-acre site for air space housing at Kearny, Monro, and 10th Streets, NE. Another promising location for air space housing was a 4¾-acre site at Eastern Avenue and North Capitol and Underwood Streets.

At the press conference, Funk said the construction of freeways was "a sign of the times. We hope that it will be approached as being a difficult problem that has to be solved . . . nothing can be done today that won't hurt a few people." He was keeping his options open in the Wisconsin Avenue corridor, but was not expecting such a "massive artery" as planned for the North-Central Freeway. "It seemed better to move over here and do this first. Then we'll see what happens."

Airis added, "we see nothing in the foreseeable future in the District portion of Wisconsin Avenue." He expected the North-Central Freeway would relieve pressure from traffic for another freeway in the Wisconsin Avenue corridor. Regardless of what might happen in the Wisconsin Avenue corridor, Funk and Airis hoped the proposed alignment could be advanced without the fierce fighting other District freeways had faced.

Lardner's account of the press conference ended:

Hundreds picked up summaries of the Freeway recommendations in the District and Silver Spring yesterday. Civic groups said they wanted to study the report before taking any stand.

[Flor, Lee, "D.C. Hopes to Get Freeway Accord," *The Evening Star*, November 10, 1964; Lardner, George, Jr., "Northeast Freeway Urged Here," November 10, 1964, and "Relocation Stressed As First Freeway Job," November 11, 1964, both: *The Washington Post and Times Herald*]

Reactions were not long in coming. William Hammond Thomas, president of the D.C. Federation of Civic Associations, said his predominantly African-American group could not accept the plan:

Not only are we opposed to it because of the displacement, but also because of the additional tax burden that will be imposed. We're already suffering from the flight of many of our high-bracket taxpayers to the suburbs. Construction of freeways tends to accentuate this deficit.

He acknowledged the material in the Greiner report about relocation and housing:

That all sounds pretty rosy, but I don't know if it's practical. So far most builders have maintained they have been unable to build housing for low and middle income people in the city. If housing were made available, of course, most of my objections would not obtain. But it's something that remains to be proven. There is a housing shortage already.

The predominantly white organization, D.C. Federation of Citizens Associations, offered a qualified okay. Its president, John Immer, said, "Some sort of access from the north and northwest is needed." The recommended route was "probably the best available, particularly in comparison with, let's say, Wisconsin Avenue which is already overcrowded with local traffic." [Lardner, George, Jr., "D.C. Civic Official Says Freeway Plan Ignores Displacees," *The Washington Post and Times Herald*, November 12, 1964]

Editorially, the *Post* and the *Star* endorsed the plan, but with some caveats. The *Post* pointed out that the North-Central Freeway had been on transportation maps for years, at least as far back as the Mass Transportation Survey. "It is generally viewed as the irreducible minimum of new highway construction from central Washington into Montgomery County." It must be built, but "designers have a heavy responsibility to extract the greatest possible benefit from a price that will inevitably be very high both in dollars and in disruption."

The editors were concerned that it would "take an excessive amount of park land in Montgomery," where in some locations the right-of-way would be wider than Sligo Creek Park. It would displace 1,300 families and dozens of businesses employing 3,000 people. "Firm decision" were needed on what would happen to these people and how air rights might be used "before construction begins, because the buildings' foundations ought to be laid when the road is first begun."

With these issues requiring more study, the *Post* editors were concerned about the plan to hold a public hearing on December 15. Considering that highway officials held the Greiner plan for

months (“until the election had passed”), “they can hold up the hearings until the citizens have a chance to consider the proposal.”

The *Star*’s editorial, “Freeway No. 1,” said the northern suburban area was “in greatest need of immediate commuter traffic relief.” As a result, District and Maryland officials should give the North Central Freeway a high priority.

The recommended route “seems clearly to be the best of the 18 alternative routes studied,” but “several other considerations” should be discussed before a final decision. Officials should be more specific about housing plans for relocatees, including use of air rights (“a concept which is not widely understood”). Officials should address whether the 10-lane freeway could accommodate all projected traffic, especially since the southern end would also carry I-95 traffic on the “so-called ‘third route’ to Baltimore.” The editors asked, “Can that be done without creating an intolerable traffic jam near the southern terminus of the freeway?”

If the freeway carried I-70S, the editors were concerned about the Wisconsin Avenue corridor. Because a freeway was virtually impossible, officials wanted to delay consideration of the corridor until the North Century Freeway and a rail transit system were completed:

If their proposal is followed, however, the need for early construction of the rail transit system becomes more imperative than ever. And so do necessary highway improvements serving the western part of Montgomery County—including especially along the George Washington Memorial Parkway along the Maryland side of the Potomac, the completion of which has been permitted to drag on interminably for no good reason.

[“The North Central Freeway,” *The Washington Post and Times Herald*, November 12, 1964; “Freeway No. 1,” *The Evening Star*, November 14, 1964]

The Maryland State Roads Commission and the Maryland-National Capital Park and Planning Commission had scheduled a public hearing on the Maryland section of the North-Central Freeway for November 16, 1964. District highway officials planned to hold a public hearing on their section of the freeway in January.

The Emergence of Sammie Abbott

Even as Maryland officials planned their public hearing, the public was organizing to reject the plan. The center of rejection would be Takoma Park.

Takoma Park was one of the suburbs that began along the Baltimore and Ohio Railroad’s Metropolitan Line. Developer Benjamin Franklin Gilbert purchased land in 1883 along the District-Maryland border. “Of all the suburbs of Washington,” an advertisement claimed in 1886, “none is lovelier in its Natural Scenery, none more healthful, none more accessible.” The advertisement added:

Malaria is Unknown

And Malarial Patients Visiting the Park are Speedily Cured

As with all the early suburbs, access to downtown was critical:

Takoma Park is but six miles from the Capitol, and may be reached (in ten minutes by express) via trains on the Metropolitan Branch of the B. And O. Railroad, there being 19 trains daily, and Sunday church trains, day and evening

Another highlight of the new community:

The streets and roads are graded and graveled, a force of men being constantly at work keeping the grounds in order.

By 1888, the new town had 1,000 residents served by a train station on the southwest side of the railroad crossing. Takoma Park was incorporated in 1890. The town was located in Maryland, although development spilled across the border into the District where the community became a neighborhood called Takoma. [Historic Takoma, Inc., *Takoma Park*, Images of America, Arcadia Publishing, 2011, pages 7 and 13]

As the *Star* mentioned in its November 16 article about the upcoming public hearing in Maryland, “In opposition to the freeway, a Save Takoma Park Committee has been organized.” One of the organizers, Norman Malakoff of 7417 Holly Avenue, said the committee would meet on November 19 to discuss ways to delay the public hearing until “we can mobilize sentiment for eliminating the highway and substituting a mass transit plan.” [“Hearing Set In Maryland On Freeway,” *The Evening Star*, November 16, 1964]

On November 19, 1964, about 300 residents attended a meeting to discuss strategy for blocking the freeway. Takoma Park Mayor George M. Miller told them that blocking the freeway would not be easy:

Just from a casual perusal of the plan, I can tell you they have the answers to everything you can think of We can’t attack the plan on the basis that “It’s going through my back yard.” We must say: “It’s not feasible at this time, not proven, not necessary.”

The immediate goal was to convince Maryland officials to postpone the public hearing until late January, considered the “absolute minimum time necessary” for proper study of the plan.

A member of the committee identified as “Sam Abbott” told the crowd that “our only salvation is in subways, rapid transit, monorail.” [“Takoma Park Residents Air Opposition to Freeway Plan,” *The Evening Star*, November 20, 1964; “Freeway Plan Gets Backing In Wheaton,” *The Sunday Star*, November 22, 1964]

Sammie Abbott, as he would more often be called, would emerge as an outspoken, at times outrageous, leader of the anti-freeway movement. In a 1978 interview, he told the *Post* one of the reasons: “I’m a perpetually mad person.” He continued:

“I hate injustice. As far as I’m concerned, I’m living to fight injustice. I’m living to fight the goddamned thing. I’m too mad to sleep.”

Abbott was the grandson of Arab Christians who had fled Syria to escape persecution. Raised in Ithaca, New York, Abbott dropped out of Cornell University in the early 1930s, radicalized by the Depression, to become a union organizer. He and his family moved in 1940 to Takoma Park, Maryland, where, unlike Takoma residents across the nearby State line, he could vote. (District residents could not vote in presidential elections until ratification of the 23rd Amendment to the Constitution in 1961 gave the District three votes in the Electoral College that selects the President.)

After World War II, he fought for desegregation and was a peace activist for the Bertrand Russell petition seeking a commitment from the United States never to use atomic weapons again. His activities aroused the interest of the FBI and the House Un-American Activities Committee. When the committee called him to testify, he lost his job in commercial art, was blackballed for more than 2 years, and started a freelance commercial art business. [Levey, Bob, and Levey, Jane Freundel, "End of the Roads," *The Washington Post Magazine*, November 26, 2000, pages 14-15; Armao, Jo-Ann, "Legendary Takoma Park Mayor Dies," *The Washington Post*, December 18, 1990]

Now, the Maryland State Roads Commission had targeted, unintentionally, the Abbott home at 7308 Birch Avenue in Takoma Park for the North-Central Freeway. He became publicity director for the Save Takoma Park Committee. In 1966, the committee would become one of the founding members of the Emergency Committee on the Transportation Crisis (ECTC), the best known of the groups in the D.C. freeway revolt. ECTC, which combined white communities, such as Takoma Park, with African-American communities in northeast Washington, including the Lamond-Riggs Citizens Association, the Brookland Civic Association, and the South Manor Neighborhood Association. Abbott would serve the umbrella organization as publicity director.

Peter Craig should have been pleased that he and his neighbors had saved Cleveland Park, but that was not the case, as Bob Levey and Jane Freundel Levey explained in a November 2000 article about the freeway fights in *The Washington Post Magazine*. Based on an interview with Craig, the Leveys wrote:

But he soon realized that the ban only shoved the specter of freeways onto poorer, blacker neighborhoods. In fact, on official city plans, the cross-park [Northwest] freeway soon was replotted as the North Central Freeway, linking Silver Spring and Capitol Hill—the road that would have led to the razing of 4,000 homes, most of them occupied by black families.

"I couldn't be parochial. I had to oppose the whole thing," he says. Especially after Sammie Abbott called him out of the blue one night and said: "All you care about is the rich white folks west of the park."

"He said to me that I was being pretty provincial," Craig says. "He guilt-tripped me, and being a good Quaker, I fell for it. [Levey and Levey, page 24]

Another anti-freeway activist, Reginald H. Booker, was an African-American in his 20s whose family moved from Philadelphia to Washington in 1950 when he was 9 years old. They lived in

a rental at 360 N Street, SW., until it was bulldozed along with much of southwest for redevelopment. “Ever since,” he told the Leveys, “I think I’ve been involved in every issue in the black community on the front lines.” The family moved to Luray Place near Howard University.

In the 1960s, Booker, a clerk with the General Services Administration, met Abbott, then in his late 50s, at a meeting in Prince George’s County to protest living conditions at an apartment complex along Eastern Avenue. Booker, who did not live there, addressed the tenants, advising them of the importance of organizing and staying vocal. A white man, whom Booker thought looked a little like the nearsighted cartoon character Mr. Magoo, approached him saying, “I liked the way you handled yourself.” Booker and Abbott would be the core of ECTC, with Booker emerging as its president. [Leveys, pages 13-15]

As Maryland officials prepared for their public hearing, the Save Takoma Park Committee was one of several groups organizing for the event.

Public Hearing on the North-Central Freeway

On November 18, the Woodside Park Civic Association in Silver Spring voted overwhelmingly to oppose any of the alternatives for the North-Central Freeway. They recommended postponing the public hearing to allow more time for study. Instead of the recommended route through Silver Spring from 16th Street across Georgia Avenue toward Sligo Creek Park, the association urged officials to shift the route to continue along the Baltimore and Ohio Railroad tracks to the Capital Beltway. Debate lasted 3 hours. [“Citizens Hit Freeway in Woodside,” *The Evening Star*, November 19, 1964]

By contrast, the Wheaton Chamber of Commerce announced “strong support” for the freeway. The chamber recommended extending the freeway beyond its planned terminus at University Avenue in Silver Spring. [“Freeway Plan Gets Backing In Wheaton,” *The Sunday Star*, November 22, 1964]

Although officials planned a wide median that could accommodate rail rapid transit, NCTA said, as the *Post* put it, “thanks-but no thanks.” NCTA, with its reduced staff, was planning a new proposal for consideration when the new Congress convened in January 1965. With enactment of the Urban Mass Transportation Act of 1964 on July 7, 1964, and presidential support, NCTA officials had developed a \$431 million proposal that included a route from a Woodside station northwest of the 16th Street Railroad Bridge in Silver Spring along the railroad right-of-way to Union Station, where the line would become a subway. They decided that the rail line would provide better service in its alignment along the railroad tracks instead of in the freeway median. District planner Grant said the median could still be used as reversible lanes for peak hours and to accommodate express buses. [“Rail Transit on Freeway Opposed,” *The Washington Post and Times Herald*, November 22, 1964]

The *Post* also had concerns about a freeway that an editorial said “clearly ought to be built.” Editors were concerned about “expansive grassy borders and median strips, rolling carelessly through neighborhoods in which space and housing are in very short supply.” They did not think

rural standards should be applied to an urban freeway. They hoped the public would ask why officials planned “to condemn a swath 300 to 500 feet wide to accommodate 10 lanes of traffic each 12 feet wide.” Citizens also might ask “why it is necessary to take large acreages for long-radius exit ramps, so that cars can drive at 45 miles an hour into local streets where the speed limit is 25 miles an hour.”

Officials claimed that a narrower right-of-way would require concrete retaining walls and overhead trestles that “everybody” opposed. “If narrow margins mean cutting in half the amount of land to be taken, and the number of homes and businesses, this hypothetical ‘everybody’ may turn out to be hardly anybody.” Even as BPR encouraged “the most imaginative innovation in highway design,” the editors had “seen little of it, unfortunately, in this one.” They urged highway officials “to respect the communities through which they must pass.” [“Roads Through the City,” *The Washington Post and Times Herald*, November 22, 1964]

The mention of BPR’s encouragement of imaginative innovation in design was a reference to the agency’s promotion in recent months of human and aesthetic values. Administrator Whitton had released a circular memorandum on March 1, 1963, to BPR’s field leaders acknowledging that BPR and nearly all the State highway department had “given serious consideration in the location and design of highways to the many elements included under the general concept of esthetics.” Despite “criticism from several sources” of highway engineers, he commended them “for their excellent work in these regards.” In view of the pressure of the deadline for completing the Interstate System, he was concerned that officials might tend to lessen their attention to esthetics in designing the final mileage:

Make no mistake about it. A pleasing result is a very important element of our highway program. In the final analysis we will be judged by the appearance of our highways as much as by any other factor. Their adequacy and efficiency are likely to be taken for granted by the driving public. They will give no thought to the thickness of pavement underneath their vehicles but they will know when the pavement is rough, the roadsides scraggly or the view ahead depressing and monotonous.

To give motorists “a keen sense of the beauty and compatibility of the highways they drive,” officials can take several steps, such as fitting the highways to the landscape and designing structures so they have architectural excellence.

These efforts were particularly important in urban areas where location was “limited by high land costs and existing culture and the appearance of the areas along a highway may be unsightly beyond control of the highway engineer.” Highway engineers should not be deterred. They should “observe a design or a detail which improves the appearance of a highway” and take “all of the other steps in the development of highways that this extra effort in insuring pleasing appearance will add greatly to a highway system of which we can all be proud. [“New Conservation in Cities and Along Highways,” *Congressional Record-Senate*, May 20, 1965, pages 11095-11096]

The *Post* editors were referring to a widely covered speech that Whitton gave on December 7, 1964, during AASHO's 50th annual meeting in Atlanta. Addressing the Committee on Administration, he urged his colleagues to pay more attention to human and esthetic values:

Unfortunately, the highway builder is widely accused as the despoiler, cutting a swath through the scenery with slide rule and bulldozer. You and I know it isn't so. We're not ignoring the people's needs and desires, their rights and privileges. But are we really doing everything we possibly can?

He pointed out that only 22 State highway agencies qualified for Federal-aid to pay for moving costs of those displaced by highway construction:

Some states still seem to lack sufficient advance scheduling so that right-of-way can be acquired at a deliberate pace. Families and businesses certainly should be entitled to specific information, patient explanation and sympathetic understanding, ample time and help to find new quarters and fair and prompt-payment.

I am sure many of the stories we hear from displaced people are exaggerated, but some indicate rather casual if not calloused treatment at the hands of public officials.

Referring to the circular memorandum of March 1, 1963, he said:

I still see too many roads and structures that look as though they were cranked out of a machine. Esthetics should be one of the basic elements in the design of new highways.

He elaborated on this theme:

We have vastly broadened our concepts of the purpose and effects of our work: the swift, safe, uncongested movement of traffic; comfort and convenience of the traveler; economic growth of areas, states, and the Nation; urban area rebirth and development; attention to human values.

And the last is by no means least. We must never forget that we are building for people, not vehicles.

He added:

In getting from here to there, by highway, we have to keep our eyes open. Let's give them feast instead of famine. [Tyson, Remer, "U.S. Pushes Help for Families Displaced by Roads," *Atlanta Constitution*, December 8, 1964; Steif, William, "Roads Ignore Human Angles, States Told," *Pittsburgh Press*, December 7, 1964; "AASHO Celebrates Golden Anniversary; Looks to Future," *Better Roads*, February 1965, page 14]

On November 23, Chairman-Director Funk responded to requests for postponement of the public hearing. In an address to the Allied Civic Group at the Silver Spring office of the Maryland-National Capital Park and Planning Commission, he announced that the December 15 public hearing, scheduled to begin 9 a.m., would be a "preliminary" hearing. Maryland officials would

join with the District for a second public hearing in January. In addition, he announced that Greiner would open an office on December 1 in the planning commission's headquarters for a 30-day period to hear citizen suggestions.

He said that a decision on a freeway location "takes guts—a lot of them":

Let us be brutally frank and admit that a \$128 million project piercing 8.8 miles of highway in urbanized Washington will hurt some existing communities.

Nevertheless, population growth in Montgomery County made the freeway the "most critical present need of the Maryland portion of greater Washington." He added:

I firmly believe that strong partnership must exist between both mass transit and freeway system, to provide the transportation mobility which a great city needs.

He told his audience, "Assuming no unusual problems, a decision of route [sic] should be reached during the next six months." In that case, the freeway could be in use by late 1970. [Flor, Lee, "Two Hearings Set On New Freeway," *The Evening Star*, November 24, 1964; "2 Hearings Open to Foes Of Freeway," *The Washington Post and Times Herald*, November 25, 1964]

Mayor Miller of Takoma Park vowed to oppose the freeway "at every opportunity," including Maryland's December 15 public hearing and the joint Maryland-District public hearing scheduled for February 4, 1965. In a letter published in the newsletter of the Save Takoma Park Committee, he said, "We shall use every legitimate means available to us to remove or reduce the impact of the freeway." He pointed out that the Maryland-National Capital Park and Planning Commission had recently developed a master plan for Takoma Park that did not show the freeway.

The newsletter also indicated that the committee had established headquarters in the city Municipal Building at 8 Columbia Avenue. The committee also had selected its permanent officials, including Roderick F. Davis as chairman. Sammie Abbott was listed as chairman of the publicity subcommittee. [Flor, Lee, "Takoma Park Mayor Vows to Fight Freeway," *The Evening Star*, December 9, 1964]

Senator-elect Joseph D. Tydings was already hearing about the controversy. Tydings, an attorney and the adopted son of former Senator Millard Tydings, had served in the Maryland House of Delegates and as U.S. Attorney before running for the Senate in 1964. Given his base in Baltimore and Harford County, residents of Montgomery County wanted to let him know about the issues that concerned them.

At the end of a series of town meetings around the State, he attended a meeting at the planning commission's headquarters in Silver Spring. The 100 citizens in attendance raised a number of issues, including the North-Central Freeway. Mary Ann McGuire and Joseph Ferrier of the Save Takoma Park Committee addressed the freeway, with Ferrier telling him:

Not since 1814 when the British burned Washington has there been an attempt to wipe out a city. Now 150 years later someone is trying to do it within the law.

McGuire, saying the freeway would endanger students at five schools, asked him to seek a postponement of the public hearing because the freeway should be delayed “until a mass transit system has been given a chance.”

Thomas Oyster of the Wheaton Chamber of Commerce, told Senator-elect Tydings, “We’re very much in sympathy with the people of Takoma Park, but some people are going to be disturbed by any route that is selected.” The recommended alternative would uproot the fewest people and help relieve congestion in Wheaton. “I know it’s bad when homes are taken, but there are adequate legal avenues for the people.”

Joseph C. Kordella, the county’s public works director, asked the incoming Senator to work to lift the freeze on freeway construction in the District’s northwest quadrant. Kordella and J. Newton Brewer, Jr., emphasized the need to combine highways and rail rapid transit. [“Tydings Hears Pro and Con On North Central Freeway,” *The Evening Star*, December 10, 1964; “Tydings Given Full Bill On Problems of Suburbia,” *The Washington Post and Times Herald*, December 10, 1964]

Senator-elect Tydings followed up by asking Funk and Chairman William J. Stephens of the Maryland-National Capital Park and Planning Commission to postpone the public hearing until January and to schedule it in the evening when “working people” could attend. Because a second, joint hearing was scheduled for February 4 in the District, the Senator-elect said the postponement would not delay the project. Commission vice chairman Byron Sedgwick told reporters, “I see no reason to postpone it.” The record would be kept open for 60 days, he said, and written statements “will carry just as much weight” as statements during the hearing. [“Freeway Hearing Delay Asked,” *The Washington Post and Times Herald*, December 13, 1964]

With the public hearing just days off, the Save Takoma Park Committee decided not to take a stand against the freeway. This decision was in keeping with the committee’s position that the public had not had enough time to study the proposal. Instead, the committee called for “large numbers” of citizens to appear and to “actively protest.” The committee had hired an attorney, James P. Gleason, to testify at the hearing about the lack of sufficient time.

On December 14, about 350 people responded to the committee’s call for an “emergency meeting” to plan for the hearing. In the girls’ gym of Montgomery Blair High School, the crowd heard Chairman Davis say the committee had decided on “a change of tactics,” as described in the *Post*:

Davis and Committee attorney James Gleason asked opponents of the proposed freeway route to turn out for a massive show of opposition Tuesday but not to testify at the public hearing

Gleason and spokesmen for civic groups in Woodside, Woodside Park and Woodside Forest plan to testify at the hearing also to seek another hearing later to present a detailed case.

State officials had 3 years to develop the freeway proposal, Gleason said, while citizens had only a month.

They asked citizens to arrive at 8:45 a.m for a formal protest carrying picket signs to “demand their rights” in the mode of what Gleason called “passive resistance.” Some of the picket signs were displayed in the gym:

- Stop the Concrete Octopus
- Keep Takoma Park the Azalea City
- Meeting Rushed, Plans Hushed. Why?

[“Big Turnout Urged to Fight Freeway Plan,” *The Evening Star*, December 14, 1964; “350 Persons Plan Protest Of Freeway,” *The Washington Post and Times Herald*, December 14, 1964]

On December 15, 1964, opponents made their presence felt before the public hearing. A picket line formed early with about 50 people carrying signs, including:

- Fight Funk’s Folly
- Funk Will Meet His Waterloo
- In A Blue Funk?
- A Freeway Helps Only The Highway Lobby
- We Want To Fight Funk With Facts

Lee Flor described the audience inside the hearing as “relatively quiet and well-mannered,” but most of the 700 people opposed the North-Central Freeway. Opponents began to boo when Funk arose to explain the purpose of the hearing. The Maryland State Roads Commission and the Maryland-National Capital Park and Planning Commission wanted “every interested citizen and civic group to have ample time to examine engineering reports and testify on the freeway.”

He added, “Nevertheless, we should realize this is an automobile age.” The audience replied “No” and booed. He said that Montgomery County was one of the wealthiest counties in the country and that many families had three cars. “Baloney” someone shouted over a chorus of boos. Funk pointed out, “I’ll bet most of you came here today in cars or buses,” to which the crowd jeered. Saying, “I’m not scared of booing,” he told them that if a referendum were held to force people to stop using their cars to commute, it would be defeated overwhelmingly. The audience jeered.

Gleason, representing what Flor described as the “most highly-organized group opposing the freeway,” argued for more time to review the Greiner report. He said that officials had the report as far back as June, according to news accounts, but citizens were given only a month before commenting. Citizens “cannot participate in these proceedings until a fair opportunity has been given them to properly evaluate the issue.”

Mayor Miller said he agreed. He wanted to make “an official objection to the lack of time permitted for us to study.” He referred to the Takoma Park master plan that had been developed over 6 years in cooperation with the planning commission that did not mention construction of a freeway through the city. Takoma Park, he said, had hired a consultant to analyze the Greiner report. This review was needed because “the impact of the freeway proposal on our city is startling and the ramifications too great for quick and easy analysis.”

In response to a request from Commissioner Brewer, officials agreed to keep the public hearing record open until March 1. This decision meant that officials would not be able to decide how to proceed until at least March – or at least to announce a decision until then. Funk also indicated he hoped to have a meeting or hearing in Takoma Park to give citizens another opportunity to testify.

Freeway supporters also testified. The Silver Spring Board of Trade and the Wheaton Chamber of Commerce spoke in support. Washington Cleveland of AAA’s District Division supported the freeway because the area would face “intolerable congestion” without it.

Some speakers offered suggestions. C. Edward Nicholson of the Woodside Forest Citizens Association recommended that officials forget the “birdwatchers and nature lovers” and consider a route through Rock Creek Park. William F. Hickey of the Woodside Civic Association urged an end to the freeze on freeway construction in northwest when it expired. The Allied Civic Group agreed that a “high speed transportation facility” was needed, but questioned the regional planning for the North-Central Freeway. E. Blair Lee, a former planning commission member, suggested bypassing Takoma Park by crossing the District line near Montgomery Junior College.

Despite the opposition, Funk “had his day,” as Flor put it:

Toward the end of the hearing, in a dramatic confrontation, he stood up from the hearing table, walked around to the witness microphone and calmly told the audience:

“Please! Let’s keep some dignity in this meeting.”

“You brought this problem to us,” because so many people today own so many automobiles, Funk told the audience. “We didn’t bring it to you.”

The consultants for the North-Central Freeway have had a special public relations office in M-NCPPC offices . . . for 15 days, but not more than 40 persons had asked the consultant questions, Funk said.

“I hope this freeway question does get you stirred up, so you get down to work, ask questions and get information,” Funk told the 700 persons. Funk had been booed earlier in the hearing, and was booed once again.

As the *Post* summarized, “The controversial North-Central Freeway won qualified approval from business groups and total disapproval from affected residents yesterday at an all-day hearing in Silver Spring.” [Barnes, Bart, “Noisy Citizens Jeer Plans For North Central Freeway,” *The Washington Post and Times Herald*, December 16, 1964; Flor, Lee, “Freeway Foes Boo Funk At

Silver Spring Hearing,” *The Evening Star*, December 15, 1964; Flor, Lee, “Takoma Park Citizens Win Freeway Fight Concessions,” *The Evening Star*, December 16, 1964]

As an editorial in *The Evening Star* put it:

At Tuesday’s public hearing on the new North-Central Freeway, Maryland Roads Commissioner John Funk casually remarked that “this is an automobile age.” He should have ducked. He was virtually drowned in a chorus of boos.

The reaction, the editorial acknowledged, was predictable:

One section of boo-leaders, for example, was burned up, and rightly so, at the brief time given citizens to prepare for the Maryland hearing. The complex new freeway proposal is contained in a consultant report which took years to develop, but was released only last month. There was no need for such haste in calling a hearing.

Another large contingent of dissenters came from Takoma Park. Their property is directly affected by the freeway. They want the route somewhere else—as every neighborhood always wants every freeway somewhere else. Their reaction was thoroughly normal.

Something else was happening during “Tuesday’s noisy demonstration which was quite out of the ordinary and reason for considerable concern”:

For the fact is that an increasing number of people seem to be working themselves into a belief that maybe, after all, this isn’t an “automobile age”—that traffic congestion really isn’t so bad, and that if people would only stop talking so much about ways to alleviate it, maybe the problem would go away.

This odd notion is being nourished, within the National Capital Planning Commission and elsewhere, by a small group of people whose basic purpose is to halt freeway construction wherever and whenever they can. When they are pushed, they offer the rationale that any degree of future transportation problems can be handled by a mass-transit system. Just the other night, one civic leader proposed telling highway officials that “they won’t get any more roads until they get together with the mass transit people and we have some coordinated action.”

The editorial saw this view as ironic since all government officials supported construction of a rail-transit system as soon as possible. “Indeed, their freeway proposals depend upon the existence of adequate transit facilities to handle future traffic.” Further, the individuals and groups attacking the North-Central Freeway, the Inner Loop, I-66, and the new Potomac River crossing were “not merely hampering these projects. They jeopardize, as well, the prospects for congressional authorization of the transit system.” The editors called on President Johnson to include support for both programs in his January message to Congress on the District budget, and to do so “in terms strong enough to head off a new highway-transit battle.” [“Mr. Funk’s Freeway,” *The Evening Star*, December 16, 1964]

The *Post* recalled Administrator Whitton's words in Atlanta, quoting his references to roads cranked out of a machine, about esthetics in highway design, and never forgetting "that we are building for people, not vehicles." The editorial concluded:

The distance between the Federal Bureau of Public Roads and the District Highway Department is measured in light years. Mr. Whitton has indeed been talking for some time about the need to consider the communities through which the big interstate roads run. He can produce a number of examples of highways ingeniously adapted to urban areas. None of them is to be found in Washington. ["Highway Esthetics," *The Washington Post and Times Herald*, December 19, 1964]

Business and civic interests met in Bethesda on December 17 to consider reviving the Wisconsin Avenue corridor. Opening the meeting, Robert W. Lebling of the Bethesda-Chevy Chase Chamber of Commerce said he hoped the assembled representatives would secure support from their organizations to form a "transit-western" expressway committee. He acknowledged that development might reduce prospects for the corridor, but if the groups supported freeway construction for western Montgomery County, experts might be able to identify freeway options.

Donald Gingery gave what Flor called "a fiery lecture about the history of freeway disputes." Gingery said that in producing the Mass Transportation Survey, officials had built in safeguards against "the kooks and nuts" who would oppose the findings. He blamed NCTA's anti-freeway stance for a 2- or 3-year delay in freeway construction. He thought that a freeway, with a rapid transit line in the median, might still be possible in the Wisconsin Avenue corridor recommended in 1960. [Flor, Lee, "Wisconsin Avenue Area Freeway Drive Reopens," *The Evening Star*, December 18, 1964]

With 1964 nearing an end, Airis appeared on WWDC's "Report to the People." He predicted that construction of the North-Central Freeway could begin in 19 months. He acknowledged the objections by the people living in the "line of march," but said, "I think reason will prevail." One reason was the legislation allowing the District to pay not only to acquire right-of-way but to help relocate displaced families and businesses.

Citizens criticized the width of right-of-way for freeways, but freeways had to be built not only for present needs but with room to expand to meet future traffic increases. The Mass Transportation Survey and the Year 2000 Plan, he said, recommended freeway corridors in the northwest, northeast, and north-central part of the city. "We boiled it down and we can go through one at a terrific savings to homes and businesses." With construction of the North-Central Freeway, he did see a need for additional northern freeway connections.

(Airis also predicted construction of the Potomac River Freeway and an I-266 river crossing in the Key Bridge area, despite NCPC's objections, to link with I-66. "It's unthinkable to bring all those lanes into Arlington without a connection.") ["Airis See 1967 Start on Freeway," *The Washington Post and Times Herald*, December 27, 1964]

Two days later, the D.C. Citizens Committee on the Freeway Crisis hosted over 150 Washingtonians for a rally at Plymouth Congregational Church at North Capitol Street and

Missouri Avenue. Dorothy M. Maultsy, a member of the District Democratic Central Committee, was chairman of the committee, which had been formed 2 weeks earlier to coordinate opposition to the North-Central Freeway. She told the group that the North-Central Freeway was “neither needed nor wanted by citizens of the District.” She questioned the accuracy of population projections, homes to be acquired, and other data the planners had used to support the freeway. The citizens committee had formed several fact-finding subcommittees to prepare for the next public hearing, scheduled for February 4. She circulated petitions urging “immediate construction of a rail rapid transit system for the District and adjacent areas” and opposed “any freeway in or out of the District of Columbia.

Sammie Abbott, representing the Save Takoma Park Committee, attended the meeting along with attorney James Gleason. Richard Williams represented the Northwest Committee for Transportation Planning. [“Residents Organize To Fight New Freeway,” *The Evening Star*, December 29, 1964]

George Lardner, in his column comparing protests in the affluent Wisconsin Avenue corridor and the less affluent North-Central Freeway corridor, suggested that both corridors made sense:

Both may be needed one day. Even Gen. Braddock thought the Wisconsin avenue corridor the best way to get to Rockville and that was in the French and Indian War. The North Central, on the other hand, would serve the more populous Silver Spring and Wheaton areas, among others.

Naturally no one wants a freeway to come barreling through his living room. Members of the Establishment have just as much right to object to one as the families in the path of the North Central.

Lardner, however, thought District highway officials should look critically at the decision to make the freeway ten lanes wide “precisely because they say they are going to leave Northwest Washington alone”:

The North Central should be able to stand on its own feet. But it seems unfair to ask residents along the route to make room for ten lanes in order to buy time for the Northwest. Property owners there should one day have to face up to traffic demands in their neck of the woods, too. [Lardner, George, Jr., “The Game in Upper Northwest,” *Potomac Watch*, *The Washington Post and Times Herald*, December 28, 1964]

As the year ended, John Immer, president of the D.C. Federation of Citizens Associations, wrote to Engineer Commissioner Duke on December 29. If the District did not change its plans for the North-Central Freeway, the federation would oppose the plan. First, the District should ensure housing is available for the more than 700 families the freeway would displace. Because most of the families would not be eligible for public housing, Immer proposed “that immediate plans be prepared for certain portions of the proposed freeway to be made ready for development by private developers.” In addition, the route should be rerouted to avoid schools and playgrounds, the destruction of which would obliterate the character of affected neighborhoods. Further, the proposed width of 300 feet was “unconscionable.” He wrote, “This right of way must be pared

back to realistic dimensions,” adding that a six-lane freeway “should be ample for all non-rush-hour traffic.”

The *Post* illustrated its article about Immer’s letter with a front and back view of Sammie Abbott’s homemade Christmas card, which he said he had mailed to 500 friends, local government officials, Congressmen, and city planners and architects around the country. On the front, he had drawn a depressed Santa, with the words:

It’s not a very Merry Christmas to just find out . . .
that a ten-lane freeway will go right through our home—

On the back, he had drawn picketers, each identified by name. Their signs read:

Susan – Don’t Bury D.C. in Concrete
Nancy – Must People Move So Cars Can Move?
George and Malvina – Stop the Concrete Octopus/Save Takoma Park From Bulldozers
Ruth Abbott – Don’t Use Federal Funds to Desecrate the Federal City!
Sammie – Build Rail Rapid Transit – D.C. Needs a Subway Now!

In the drawing, Abbott was scurrying to catch up with his wife, who looks back to tell him, “Step lively.” [“Citizens Group Demands Changes Before Pledging Freeway Support,” *The Washington Post and Times Herald*, December 30, 1964]

“For the Foreseeable Future”

The National Capital Transportation Act of 1960 had imposed a deadline of January 10, 1965, for NCTA to send the President “for transmittal to Congress, its recommendation as to whether any such freeway or parkway should be built” in northwest. George Lardner pointed out that, “NCTA officials would much rather say nothing at this point. They need all the support they can muster . . .” for the transit plan they wanted Congress to approve in 1965. But as NCTA Deputy Administrator Quenstedt put it, “It’s a mandate from Congress. And we’re law-abiding citizens.”

On January 8, 1965, Stolzenbach wrote to inform President Johnson that NCTA and highway officials in the District and Maryland had accepted the North-Central Freeway (I-70S) along the B&O Railroad tracks as the substitute location for the Northwest Freeway (I-95). Montgomery would have a second connection to the District via a parkway along the “east bank of the Potomac River.” He continued:

The agency has also been informed that both highway departments believe these major additions to the present highway network will be adequate for the foreseeable future without any additional freeway or parkway in Northwest Washington.

The agency concurs with the highway departments.

Stolzenbach added that officials in the District, Maryland, and Virginia were creating the 3C process required by the Federal-Aid Highway Act of 1962. This new process would be “available in the event future questions arise” over additional freeways in the area.

Quenstedt told reporters that Stolzenbach's letter on NCTA's findings was "not intended to be an affirmative endorsement of the North-Central Freeway. We simply are trying to stay out of the controversy." He did not want NCTA to get in the middle of alignment disputes, either. NCTA had recommended an alignment along the Baltimore and Ohio Railroad tracks in 1962, but he said, "We are not in a position to comment" on the Greiner report.

While waiting for the President's reaction, District and Maryland highway officials released an "information supplement" to Greiner's report on the North Central Report. The supplement concluded that if the North-Central Freeway had been open in 1962 and 1963, highway deaths in the District would have been reduced by an estimated seven while injuries would have declined by 700. "One of the most important and least considered advantages of the urban freeways is the reduction of traffic accidents, injuries, and deaths," the supplement pointed out. It explained, "On freeways, head-on collisions, opposite direction sideswipes and vehicle-pedestrian accidents have nearly been eliminated." [Asher, Robert L., "Seven Deaths Laid to Lack of NE Freeway," *The Washington Post and Times Herald*, January 11, 1965]

President Johnson forwarded Stolzenbach's views to the Congress in a brief letter on January 14:

I transmit herewith a copy of a letter dated January 8, 1965 to me for transmittal to Congress by the Administrator of the National Capital Transportation Agency in accordance with the provisions of Section 204(b)(2) of the National Capital Transportation Act of 1960.

I know the Congress will be pleased, as I am, to note the consensus of the Highway Departments and the Administrator that, with the contemplated construction of the George Washington Memorial Parkway [in Maryland] and a north central freeway, no additional highways need be constructed in this quadrant of the District for the foreseeable future.

His letter, as reporters pointed out, perpetuated the freeze on freeway construction in northwest without an end date or a date for reconsideration. It also gave new emphasis to the North Central Freeway and the parkway link along the Potomac River.

Chairman Funk told reporters:

There is a strong possibility that when the North-Central Freeway is completed there will be a substantial reduction of traffic in the Wisconsin [Avenue] corridor. But how much it will be and how it will affect the need for additional facilities we don't know.

Montgomery County is heading toward a million population, which means an increasing need for radial movement of traffic. We will have to wait and see. [Aarons, Leroy F., "Johnson Rules Out NW Area Freeway in 'Foreseeable Future,'" *The Washington Post and Times Herald*, January 15, 1965; Flor, Lee, "Johnson Favors Abandoning Wisconsin Ave. Freeway," *The Evening Star*, January 14, 1965]

The President's letter prompted reactions from groups on either side of the freeway battle. Dorothy Maultsby said she was hoping to meet with Charles Horsky about the President's

endorsement of the NCTA letter. Her group had determined that 95 percent of the residents who would be displaced by the North-Central Freeway were African-Americans. John K. “Bus” Rector, chairman of the Planning and Housing Committee of the Democratic Central Committee, also wanted to meet with Horsky to seek clarification of the President’s views. Joseph Rauh, now chairman of the central committee, questioned whether President Johnson actually endorsed the North-Central Freeway, even though “it might have seemed that way on the surface to some.”

Mayor Miller and all city council members from Takoma Park sent a telegram urging President Johnson “to have compassion upon the people of Takoma Park and to require the freeway to follow the railroad” as it crossed the State line. Otherwise, the North-Central Freeway would “convert a lovely city into a concrete jungle.” They told the President, “You have been misinformed, in that the freeway does not follow the railroad tracks but takes a quite unnecessary swath inward to fractionalize our city.” They added, “You can avoid great hardship and suffering to elderly and retired people who could never replace their homes. Thousands depend upon you for help.”

Others endorsed the President’s letter. The National Capital Downtown Committee (Downtown Progress) released a resolution saying the North-Central Freeway “is an important element of the balanced transportation system which will promote the mutual accessibility between the center of the city and the suburban areas.” The Federal City Council agreed, with both groups saying construction should not begin until “satisfactory provision” had been made for displacees. [“North Central Foes Hit LBJ Statement,” *The Washington Post and Times Herald*, January 17, 1965; “Two D.C. Groups Back North Central Freeway,” *The Sunday Star*, January 17, 1965; “Takoma Park Sends Johnson Freeway Plea,” *The Evening Star*, January 18, 1965]

The *Star*’s editors summarized President’s Johnson’s “skimpy note” as relying on a major highway along the Potomac River in Maryland. “Mr. Johnson sounds as if the George Washington Parkway construction were proceeding just fine.” The Department of the Interior’s procrastination “is disgraceful”:

No one opposes the parkway. The department simply refuses to push it. Now that the President has publicly conceded its importance, his aide in charge of such things, Charles Horsky, should begin exercising his role as expeditor.

As for the North-Central Freeway, the President’s words “should give some much-needed impetus” to the project, something neither NCPC nor NCTA had done. “If the English language has any meaning, however, the President has committed them to lending a hand now.”

Further, the President’s letter “unhappily omitted” reference to the needed Potomac River bridge to connect with I-66 in Virginia. This project was outside the geographical scope of the NCTA report, but “it is very likely to be one on which the White House will have to speak the final word.”

The editors questioned whether a freeway in the Wisconsin Avenue corridor “is really dead.” The need for such a freeway would depend on whether rail transit was built, the effectiveness of the George Washington Parkway, and how the North-Central Freeway meets travel needs. “If a

northwest freeway is to be forgotten for the present, however, these alternative facilities must be built as soon as possible.” [“Decision at the Top,” *The Evening Star*, January 18, 1965]

Reaction among groups battling over the issue, in the District and Maryland, continued to reflect their point of view. Lebling of the Bethesda Chamber of Commerce said he was “sincerely disappointed” by President Johnson’s letter. The President was the “recipient of bad advice” in rejecting a freeway in the Wisconsin Avenue corridor that the Mass Transportation Survey had called for in 1959. Neither the North-Central Freeway nor the proposed Potomac River parkway would reduce congestion in Bethesda, where the business district was choked with traffic. If the Wisconsin Avenue corridor was not preserved for a freeway now, commercial development would probably make acquisition of right-of-way too expensive. Abandoning the Wisconsin Avenue corridor now would doom Bethesda’s business section as businesses, shoppers, and employers deserted the city for other commercial centers. [“Officials Hit For Dropping NW Freeway,” *The Washington Post and Times Herald*, January 21, 1965]

The Northwest Committee for Transportation Planning released a report on February 11, 1965, showing that traffic between Montgomery County and the District was declining. According to the committee’s figures, traffic had declined since December 1962 when 266,758 vehicles crossed the District line to 244,499 vehicles in December 1964. As far as the committee was concerned, the highway officials in the District and Maryland calling for the North-Central Freeway could not justify the need based on traffic projections since they were declining. [“Montgomery Traffic to D.C. Dips Steadily,” *The Washington Post and Times Herald*, February 12, 1965]

The Public Has a Say - Again

District and Maryland officials concluded that their plan for a joint public hearing at Coolidge High School on February 4 was impractical. Coolidge would not be able to accommodate the expected crowd and likely picketing. School Board President Wesley S. Williams said that school officials had received “numerous letters and telephone calls indicating that extensive picketing is planned.” He added, “we have enough troubles in the schools already,” without protests against highways.

The two jurisdictions decided to hold separate public hearings. The District’s would be in the Commerce Department Auditorium, which seats about 800, at 10 a.m. on February 4. Maryland would hold its hearing a week or two later. Airis told reporters that 40 requests had already been received to be heard. “It’s a spirited project and I assume we’ll have a spirited meeting.” [“Picketing Threat Shifts Freeway Heading Plans,” *The Washington Post and Times Herald*, January 30, 1965]

By the end of January, Peter Craig had examined the District’s information supplement regarding the safety benefits of the North-Central Freeway. He concluded that the opposite was true and that the supposed reduction of seven deaths was based on statistical sleight-of-hand. While freeways themselves are safer, he said that the access roads to and from them have the city’s highest accident rates. The *Post* summarized his findings:

He compared data on traffic fatalities in three Northeast Washington police precincts—Nos 3, 12 and 14—where freeway construction has been heavy, with figures from Northwest Precinct No. 8, where very little road-building has taken place.

In the case of the Northeast precincts, the rate of traffic deaths per each 1000 population has gone up since the freeways were built, whereas the rate in No. 8 has stayed about the same, he found.

Mathew Platt, the District Highway Department's assistant chief engineer for planning, could not comment on Craig's report, which he had not seen. But Platt questioned Craig's use of resident population for comparison. "There are two populations involved—the people who live there and those who drive through. Both have to be taken into consideration." ["Safety Claim of Freeways Is Disputed," *The Washington Post and Times Herald*, February 1, 1965]

The *Star* estimated that 1,000 people showed up for the February 4 public hearing on the North-Central Freeway in the Commerce Department Auditorium:

The crowd, apparently drawn almost completely from the neighborhoods bordering the recommended freeway location, began to assemble about 9 a.m. About 100 persons started carrying picket signs in an orderly line on the sidewalk outside the building at 14th and E Streets NW.

The protesters, described as forming a "well-mannered picket line," continued throughout the day, with the opponents holding up signs such as:

- Children Can't Play on Freeways
- Stop the Concrete Octopus
- Subway Yes, Freeway No
- The Great Society—Destruction of Homes, Schools, Churches, Playgrounds
- Who Can Protect the Needs for The Year 2000
- Stop the Freeway – We Need RAPID Rail Transit

A group called the Metropolitan Citizens Council for Rapid Transit distributed handbills to those entering the auditorium or passing by. It stated that "freeway hearings must continue! The entire secret network of freeways must be brought out for public examination!"

The *Post* began its report on the hearing:

The proposed North Central Freeway was put to another test of public opinion yesterday and, as expected, it flunked.

Residents along the path of the 10-lane freeway attacked the plan "from a dozen directions" during the hearing. "In summary, they don't like it, they don't want it and they are not at all convinced that it's needed."

Director Airis opened the hearing. He said the freeway had been endorsed by the area's planning agencies as part of a comprehensive regional transportation plan. Full consideration had been

given to the “socio-economic impact upon the community.” The freeway also had been “properly coordinated with planning for mass transit and is designed to keep to a reasonable minimum any adverse impact upon the community.” In view of the huge population growth expected in the area, the freeway was needed.

He understood the concern about relocation of families and businesses the freeway would displace, but he cited the District’s new relocation assistance program that Congress had authorized. “We now have the capability to handle satisfactorily the relocation of people affected by public works projects with a minimum of disruption and inconvenience.”

Airis read a statement from General Duke, who was not present but had prepared comments at the last minute in response to the reference in the handbills to a “secret network of freeways.” The North-Central Freeway was a “key element in a general freeway plan that has been in existence and generally accepted by all transportation planners since 1959.” He added that the freeway system shown on District highway maps is “all that is planned and needed for the highway portion of the total balanced transportation system” for the Washington area.

More than 30 witnesses testified during the hearing or submitted statements.

John Rector testified that the District Democratic Central Committee opposed the freeway. With 60 percent of the downtown business area devoted to streets and parking, the freeway would take 146 acres more of District land and would displace 2,500 workers and 2,194 residents, he said. The city already had a waiting list of 5,000 families for public housing and 15,000 more will be displaced by 1967. Rector said that “thousands of people, most of whom are Negro,” will not be able to go into “Virginia and Maryland with their lack of fair housing ordinances.” Not enough housing was being built in the District for these families. They would be forced into “areas already overpopulated.”

Several other witnesses echoed those sentiments. One of them, Ronald J. Donlavey of the Brookland Area Coordinating Council said that, “For Negro families, displacement does not present simply the necessity to find a new house; it presents the prospect that an adequate house may not be available at all.”

William B. Peer of Neighbors, Inc., a northwest community group working for integration, questioned the traffic forecasts supporting the freeway. The District Highway Department had made “irresponsible statements based on wholly inappropriate comparative data” about the number of lives saved if the freeway were built. The crowd, according to the *Star*, applauded some of his statements enthusiastically, but the reaction “was not accompanied by cheers.”

Peter Craig presented statistics that he said demonstrated the highway traffic into the District was below the city’s estimates. Traffic volumes on some freeways had actually declined since completion of the Capital Beltway.

Some witnesses endorsed the freeway. Former District Commissioner Camalier of the District’s AAA said that “one of the greatest advantages of the freeway is the fact that freeways are 50 percent safer than other streets and highways. One of the most important and least-considered

advantages of urban freeways is the reduction of traffic accidents, injuries and deaths.” The crowd, according to the *Star*, “listened politely” to his testimony.

Not all pro-freeway witnesses were received politely, according to the *Post*:

Many of the listeners walked out of the auditorium in protest when Harold E. Wirth, of the Rubber and Tire Manufacturers, urged residents to put themselves in the “beneficent hands” of the Highway Department.

James F. Mollison, speaking for the Board of Trade, was jeered when he said people “must learn to live with” the Freeway. “Where do you live?” cried several in the audience.

Chairman Funk attended the public hearing but did not speak. [Flor, Lee, “North Central Freeway Hearing Draws 1,000,” *The Evening Star*, February 4, 1965; Schuette, Paul A., “Freeway Is Again Attacked By Citizens and Businesses,” *The Washington Post and Times Herald*, February 5, 1965]

The District continued the hearing on February 5, during which 24 witnesses testified before only about 50 attendees. One witness was James P. Gleason, the attorney for the Save Takoma Park Committee who on this day was representing the Metropolitan Citizens Council for Rapid Transit. He advised officials to defer the freeway until a rail rapid transit system was built and its impact on traffic could be measured. “If rapid transit is built, that’s the last we will hear of the freeway planners in Washington.” He urged President Johnson to establish a five-member commission to study how the Capital Beltway affected traffic in the city. An objective study, he said, would demonstrate that current roads could meet traffic needs until the transit system was completed.

Robert H. Bruton, research chairman for the group, added that “the historical trend in peak hour traffic . . . clearly indicates that the existing road condition in combination with a rail transit system will easily accommodate all commuter traffic in the foreseeable future.”

The Reverend J. Raymond Favret was one of three witnesses from Catholic University who presented the university’s concerns about the freeway. He recommended shifting the freeway “immediately adjacent to the railroad tracks,” the location that Greiner had called “railroad east modified”:

The study noted that the present plan was taken to avoid taking of the adjoining new industrial buildings which are mostly serviced by the railroads. The housing between Michigan Avenue and Taylor Street is much more important to the integrity of the community than these small industrial plants.

Professor Paul J. Claffey, a professor of traffic engineering, favored the Greiner alignment showing the part of the freeway elevated over the railroad tracks. The additional cost of \$27 million would be justified because the alignment would save the homes of 300 families and permit existing industries to provide a buffer between Brookland and the freeway.

The Reverend Robert G. Howes, associate professor of planning, also favored alternate alignments, such as the one where the freeway was built over the railroad. However, while rail rapid transit was needed, Reverend Howes did not doubt the need for another freeway between the Capital Beltway and the Inner Loop. He added:

We cannot continue to march forever round and round our difficulties, facing only those we can, by pure chance, simply no longer avoid. It is not helpful to suggest that until all problems are solved, we solve none.

Several groups supported the freeway, including the Citizens Traffic Board and the Joint Committee on Transportation.

Airis indicated that the District would not make any decisions on the future of the North-Central Freeway until Maryland officials completed their public hearing process. [Schuette, Paul A. "Hearing Ended on NE Freeway," *The Washington Post and Times Herald*, February 6, 1965; Flor, Lee, "C.U. Asks Changes In Freeway Route," *The Evening Star*, February 5, 1965]

Reviving the Rail Rapid Transit Option in 1964

Although the House, and therefore Congress, had rejected the bobtail rail rapid transit legislation on December 9, 1963, President Johnson made clear on January 21, 1964, that he supported rail rapid transit for the District when he submitted his annual message to the Congress on the District of Columbia budget:

The Administration and the Congress have been wrestling with the transportation problems of the District for many years. While some progress has been made, I hope for further progress during the coming year.

He was encouraged by the District commissioners' acceptance of the Policy Advisory Committee's recommendations for the North Leg Freeway and the central Potomac River crossing:

Although problems of specific location and of design remain to be worked out with the help of the advisory committee, the progress which has been made permits inclusion in the budget of funds for major additional segments of the urgently needed Interstate System in the District.

As noted earlier, he endorsed the District's proposed authorization of \$35 million in additional loan authorizations and a gas tax increase.

Then he turned to rail rapid transit:

The resolution of the problems of providing a rapid rail transit system for the National Capital Region is not yet in hand. Ten years and more of study, however, have made it abundantly clear that such a system is a critical necessity if intolerable traffic congestion is to be avoided. The recent recommittal of H.R. 8929 [Chairman Widener's bobtail bill] to the House District Committee demands a redoubling of efforts to find an acceptable

program which will permit a transit development plan to proceed. I have instructed the National Capital Transportation Agency, together with other Federal agencies, to work with affected local jurisdictions to that end. I am confident that the Congress agrees on the need, and I trust that an acceptable program can be formulated at this session of the Congress.

He concluded the transportation section of his annual message:

A comprehensive transportation system must, of course, be the result of joint efforts between the District and its neighboring jurisdictions. Indeed, the Congress has conditioned continuing Federal assistance to highway development in urban areas after mid-1965 on the existence of such cooperation. Many other local problems, too, extend beyond the District's boundaries, just as many problems in the suburbs cannot be efficiently and economically solved without the full cooperation of the District. I intend to give my full support to the development of cooperative efforts to meet these regional problems and to provide for the orderly development of the National Capital Region.

Although messages of this type are prepared by staff and vetted by the Bureau of the Budget, Schrag suggested that President Johnson, who had come to Washington in 1931 as a legislative aide to Representative Richard M. Kleberg (D-Tx.), was personally interested in the subject:

President Johnson proved himself supportive. Like Kennedy, he had spent decades in Washington. He retained Horsky as his capital affairs adviser, and he was even closer to Rowe than Kennedy had been, for the Johnsons and the Rowes had been friends since 1938. [Schrag, page 59]

(NCPC Chairman Elizabeth Rowe's husband, James H. Rowe, Jr., was one of the "Brain Trust" New Dealers who came to Washington with President Franklin Roosevelt. Rowe held a variety of posts in the Roosevelt Administration during the Depression years, as well as in the Truman Administration. According to Johnson biographer Caro, James Rowe "spent more time with Johnson than any of the other rising young New Dealers." James and Elizabeth Rowe also socialized with the Johnsons. Caro wrote of the young Representative Johnson:

In his circle of young New Dealers, he was the life of every party with his practical jokes, his quick wit, his wonderful "Texas Stories" about the hellfire preachers and tough old sheriffs of the Hill Country, his vivid imitations of Washington figures, and his exuberance "At parties, he was *fun*," Elizabeth Rowe says. "That's what no one understands about Lyndon Johnson—that he was *fun*." [Caro, pages 111, 119, italics in original])

The *Star* appreciated President Johnson's support of the "critical necessity" of rail rapid transit, but added that they were "alas, only words." As the President suggested, NCTA had many things to do to recover from the defeat of the bobtail plan:

But the problem is that the agency—and therefore the rail transit program itself—is at this moment in such deep trouble that vigorous action at the White House level also is needed.

First, the White House should reorganize NCTA, beginning with replacement of Stolzenbach. “The present troubles and past failings of the NCTA are so intimately associated with Mr. Stolzenbach that it is hard to see how he can continue to be of service in this job.”

Second, the editors suggested rethinking the plan to cut NCTA’s budget in half. “Under new leadership there would be a great deal of work for the agency to perform.”

Third, the President should ensure that the right-of-way of I-66 in Arlington County is wide enough to accommodate rail rapid transit as well as the highway lanes. Congress had appropriated \$1 million for this purpose but with the failure of the bobtail plan, the Administration had frozen the funds. Meanwhile, BPR had ruled that it could not spend Federal-aid highway funds for rail rapid transit purposes:

Perhaps so. But these considerations do not alter the fact that it would be a serious mistake for this project to proceed as just another highway. The route is an entirely logical path for rail transit, and on an interim basis the additional right of way could be profitably used by express buses. Once the right of way is acquired for the highway alone, however, the opportunity to preserve this additional value at reasonable cost will be gone forever. [“More Than Words,” *The Evening Star*, January 25, 1964]

As for Stolzenbach, he was still NCTA Administrator and he was determined to restore his own and the agency’s credibility while rebuilding support for rail rapid transit.

On January 28, 1964, he addressed alumni of his alma mater, the Massachusetts Institute of Technology, at the Cosmos Club. While defending rail rapid transit, he acknowledged that the automobile had “given mankind a vast new degree of personal freedom in living.” Automobiles and buses were “bound to carry most of the all-day traffic in our metro areas.”

He rejected the idea of an all-bus service operating on exclusive bus lanes:

All I can say is that we have seen no demonstration that this is so. Nor have we found out how to distribute buses efficiently in a congested downtown without either banning all auto and truck traffic, or building a very expensive bus subway—a feat that poses an enormous ventilation problem.

We have found that the more steps you take to bring the level of express bus service up to the standards and capability of a rail rapid transit system, the more expensive it gets and the more the bus system resembles a train-subway system.

He cited the new developments that would allow rail rapid transit to “achieve better ventilation, greater acceleration and deceleration and increased efficiency of operation”:

With all these potentialities, considered along with the economics of their operation, and notwithstanding the high capital cost of the basic facility, rail rapid transit systems today are regarded by engineers engaged all over the world to build new systems as having the most suitable technology. [Eisen, Jack, "Stolzenbach Calls Buses Inadequate," *The Washington Post and Times Herald*, January 29, 1964; "Stolzenbach Defends Rail Transit Plans," *The Evening Star*, January 29, 1964]

He continued trying to reach out on February 14 during a speech to the Committee of 100 on the Federal City. He told the committee that, despite the House action on the bobtail bill, he was "not pessimistic." In response to a question about whether he would submit a new bill in 1964, he said, "I don't think any time should be lost in trying to get a decision." However, he added, "I also agree with those who feel great care and caution should be exercised in trying to get a decision when the result might be questionable."

Speaking of a balanced transportation system, he said:

Rail rapid transit is the best friend the highway ever had. Without buses, a balanced transportation system . . . cannot operate efficiently, economically or completely Rapid transit is a tremendous generator of passengers for the bus systems, delivering customers by the carload to the bus.

Having been criticized repeatedly for lack of cooperation with other agencies and governments, he urged more discussion of the shape of a balanced transportation system. He rejected the views of those who urged single-mode "cure-all," including buses, automobiles on highways, and the rail rapid transit system, that would operate at the expense of automobiles, buses, or "roller skates or space ships." Downtown did not have enough room for automobiles to handle all peak period transportation. "What NCTA has proposed is a balance. The exact balance is now up for community discussion. What can NCTA do to bring this community the benefits you want?"

(The committee adopted a Peter Craig resolution in support of the 1-cent gas tax increase for the District, but opposing the increased borrowing authority.) ["Balanced Plan Of Rails, Buses Is Urged Here," *The Evening Star*, February 14, 1964; "Rival Transit Units Agree To Confer," *The Washington Post and Times Herald*, February 15, 1964]

As part of Stolzenbach's efforts to restore confidence, he sat for a *Post* interview. He doubted that NCTA would ask Congress in 1964 to reconsider a rail rapid transit bill. He did not want to make a second try until he could be "reasonably certain" of congressional approval. The 1964 election would shorten the congressional session. He thought the fate of a District transit bill would be harmed by President Johnson's call, in his State of the Union Address on January 8, 1964, for economy in government. In his first full year as President, he pledged "a progressive administration which is efficient, and honest and frugal." His budget would "cut our deficit in half – from \$10 billion to \$4,900 million. It will be, in proportion to our national output, the smallest budget since 1951."

As noted earlier, NCTA had analyzed why Congress did not approve Chairman Whitener's bill in December 1963:

The biggest factors, Stolzenbach concluded, were the just-enunciated economy policy, confusion and dissension over the national mass transit bill, labor policy problems and the cost of the proposed system

Stolzenbach said the financing proposal was misunderstood on Capitol Hill, where critics fastened onto the \$401 million price tag rather than the \$120 million capital contribution by the Government.

NCTA was reworking the financial plan, with the possibility of asking area jurisdictions to contribute more. The willingness of the jurisdictions to increase their share would shape the proposal eventually submitted to Congress.

He also was reaching out to critics of NCTA's cooperation. Meetings had been held with Engineer Commissioner Duke, Representative Sickles, and two key members of the Virginia General Assembly: Senator Fenwick and Delegate William Winston. He also had met with labor officials, and was planning to meet with the COG and separately with Montgomery County, which had withdrawn from the council. ["Stolzenbach Doubts Wisdom of Pushing Transit Plan Now," *The Washington Post and Times Herald*, February 13, 1964]

Reacting to the interview, the *Star* characterized Stolzenbach as "throwing cold water on the likelihood of any congressional action this year," despite President Johnson's stated hope that Congress would approve a bill during the session. The editors were bothered by Stolzenbach's intent to "throw in the sponge" on the President's hope. They recognized the problems inherent in reviving the proposal, but thought House and Senate hearings "might prove helpful in reaching agreements on some of the issues." They urged Stolzenbach to proceed with a "sense of urgency." ["Premature Surrender," *The Evening Star*, February 17, 1964]

Chairman Whitener agreed with the editorial. On February 18, his House District subcommittee adopted a resolution in executive session urging NCTA "to proceed with all possible speed so that a rapid transit system can be presented to Congress at an early date." The resolution noted President Johnson's call for a redoubling of efforts to secure approval.

Talking with reporters, Chairman Whitener said he drafted the resolution, which "does not ipso facto require that the program be brought to a vote this year." However, he said the House vote in December 1963 had not "killed" the bill, but simply indicated the members "wanted us to look at it again."

The *Star*, in its article about the resolution, added that, "Mr. Stolzenbach reportedly is working with Charles Horsky, White House advisor on National Capital affairs, on drafting a revised plan for a rail transit network here." [Eisen, Jack, "Transit Bill Given Push By Whitener," *The Washington Post and Times Herald*, February 19, 1964; "Rapid Transit Action Asked By House Unit," *The Evening Star*, February 18, 1964]

In February and March 1964, Stolzenbach testified before the House and Senate Appropriations Subcommittees on the Interior and Related Agencies, the subcommittees with jurisdiction over NCTA. He discussed the possibility of increasing the local contribution to the plan under

development, but ran into criticism related to failure of the bobtail bill. Representative Winfield K. Denton (D-In.) understood the need for a transit system, but said, “I never heard of an employer [the Federal Government] having to provide a rapid transit system to get employes [sic] to work.” He continued:

On the floor, and there is no use beating around the stump, I think most everybody thought it was inappropriate for [the local area] to pay such a small sum and the Federal Government so much.

Representative Julia Butler Hansen (D-Wa.) said, “I don’t think anybody denies that a better transportation system is needed in the District of Columbia.” However, she told Stolzenbach, “there should be some equity of financing, particularly . . . in the beginning”:

I think if you are going to get anywhere with this you will have to get some willingness and legislation which will enable local governments to pay the lion’s share of this proposition.

As a practical matter, she said that Members of Congress “do not feel like taxing people in their district, many of which are in depressed areas, to pay a bill which wealthier counties of the country would not pay.” She and her colleagues were “very much surprised” by the Federal/local financing formula in the bobtail plan.

Representative Hansen also raised the need for regional support. Stolzenbach replied, “We have been accelerating our discussions with the officials of this region since the Dec. 9 debate.” She told him:

This is since Dec. 9. We talked to you at this time a year ago. You certainly kept it in a dark closet until December.

Stolzenbach assured her that more work had been done “than you may be aware of.”

He was hesitant to reveal when NCTA might release a new plan, despite repeated questions from Chairman Bible. The Senator said the subcommittee needed answers if it was going to approve NCTA’s request for \$500,000 for staff salaries. The schedule, Stolzenbach told him, depended on close coordination with and support from three key groups: leadership of the House District Committee, officials of the 12 city and county jurisdictions in the area, and the White House. Before their support could be sought, NCTA had to resolve four important problems that Lee Flor summarized:

These are the size and scope of the rail rapid transit system, the question of the balance of Federal versus local contributions, the problem of demands for protection against automation by labor unions, and the question of whether private enterprise will operate any rail transit system, Mr. Stolzenbach said.

Senator Bible asked if Stolzenbach could conceive of a solution to Washington’s traffic problem without rail rapid transit. Stolzenbach replies, “No sir, I do not.” Senator Bible replied, “I agree with you—we must have a rail rapid transit.” He hoped NCTA would be “kept alive” because “it

would be a calamity to allow the agency to expire.” He promised to help move legislation through the Senate when the time came. [Flor, Lee, “Aid of 3 Groups Seen Needed in Transit Plan,” *The Evening Star*, March 3, 1964; Flor, Lee, “Rapid Transit Backed, City Warned on Costs,” *The Evening Star*, March 11, 1964; Eisen, Jack, “Transit Plan Cost to Area To Increase,” *The Washington Post and Times Herald*, March 11, 1964]

Following leaks to reporters, NCTA prematurely disclosed its latest concept for rail rapid transit on March 19. NCTA was considering a 15-mile “backbone” network, including a major cross-town route, at a cost of \$287 million. Jack Eisen described the route for *Post* readers:

Terminals would be located . . . to provide easy access for express buses from the suburbs.

The yards and shops would be located adjacent to the Potomac Electric Power Co. plant near Benning rd. ne. east of the Anacostia River.

From there, a line would cross the river and run past the Stadium, then go via South Carolina ave. to Pennsylvania ave., pass beneath the Capitol grounds and serve downtown with a G st. subway. A short branch would serve Union Station.

Near the White House, the line would split. One spur would go up Connecticut ave. and 18th st past Dupont Circle, then—beyond Rock Creek Park—out Connecticut ave. to Van Ness st nw.

The other spur would go beneath H st through Foggy Bottom, tunnel the Potomac to Rosslyn, then swing south to the Pentagon and Pentagon City area beyond.

Eisen added:

A map displayed by Stolzenbach showed express buses feeding patrons to railheads at Benning, Rosslyn, Pentagon City, and Van Ness st., plus railroad commuter service on two Baltimore & Ohio and Pennsylvania Railroad lines to Union Station.

NCTA, Stolzenbach told reporters, had been reaching out to local communities “and we will continue touching base with them and with congressional leaders as we go along.” He could not predict when NCTA would be ready to submit a bill to Congress.

Stolzenbach thought the 15-mile system would require about \$83 million in Federal and local grants, with the remainder of the cost financed by 50-year revenue bonds to be repaid by fare revenue. Distribution of responsibility for contributing the \$83 million had not yet been worked out. He added that the full 98-mile system NCTA had originally proposed was needed, but that the new plan was a practical start. “Basically, this is expandable into the earlier recommendations.”

Because the plan was new, local officials wanted to delay commenting on it. However, Engineer Commissioner Duke said the plan “has a lot of promise” because it would “overcome a great many of the objections.” He also complimented NCTA for working out its differences with the

transit regulator, the Washington Metropolitan Area Transit Commission. He said, “they are now working together harmoniously,” as a result of recent initiatives.

O. Roy Chalk told reporters that the new plan was “merely a retread of the last \$400 million bobtailed version which was so emphatically rejected by Congress.” The area’s bus companies were working on a “vastly expanded, all-bus rapid transit system” that would be unveiled “in the very near future.” He was convinced the plan would prevent the “eventual unnecessary and wasteful expenditure of more than \$2 billion” on NCTA’s plan. [Flor, lee, “Subway Plan Reduced Again,” *The Evening Star*, March 19, 1964; Eisen, Jack, “\$300 Million D.C. Subway Is Outlined,” *The Washington Post and Times Herald*, March 19, 1964; Eisen, Jack, “Transit Chief Outlines Latest Subway Route,” *The Washington Post and Times Herald*, March 20, 1964]

While Stolzenbach began discussing NCTA’s backbone plan with local officials, the *Star* editors were not impressed. “Its latest version seems designed mainly to permit Pentagonians to ride in style to the ball park.” The NCTA plans, they said, “get more and more modest” in hopes of convincing Congress to approve. The new plan probably was not the final version. As for reaching out to local officials, “There is nothing wrong, Lord knows, with that.” After all, “the main problem in the past has been the NCTA’s refusal to talk to anyone.” Its original \$793-million plan was wrapped “in the secrecy of the Manhattan Project.” After NCTA finally unveiled the plan, “it was thoroughly clobbered.” NCTA proceeded to develop the second plan, known as the bobtail, without any outside help:

Now, it appears, the NCTA is willing to talk to everyone—in the hope of developing a solid base of community support well in advance of any proposition to Congress.

The editors saw some reason for hope in the fact that the House had approved President Johnson’s modest budget request for NCTA. “Now that the situation is looking brighter, we hope that the Senate also will vote to approve the funds the agency needs to get its job done. For Washington needs rapid transit.” [“Stadium Express,” *The Evening Star*, March 23, 1964]

While Stolzenbach and NCTA reached out to local officials and agencies, the area’s four bus companies unveiled their all-bus transit plan on May 12. Chalk’s D.C. Transit System, its Virginia subsidiary (WV&M Coach Company), AB&W Transit Company, and WMA Transit Company described their plan to three local Members of Congress: Representatives Broyhill, who had initiated the plan in February, Mathias, and Sickles.

Although bus company officials left the meeting with their maps and without briefing reporters, Representative Broyhill told them that the \$25 million plan was in the form of an X. One line would run from Greenbelt in Prince George’s County, Maryland, to Seven Corners in Fairfax County, Virginia. The other would run from Rockville in Montgomery County, Maryland, to Springfield in Fairfax, Virginia, via Shirley Highway. The lines would intersect at Maine Avenue, SW., near the Bureau of Engraving and Printing on 14th Street. The system would include a fleet of minibuses to carry passengers to downtown destinations.

Public investment would be limited to \$25 million, half of it in the form of guaranteed loans for acquisition of buses. The other half would consist of public investment needed for terminals and fringe parking lots that would be owned by the counties.

Buses would include luxury equipment, including air conditioning and reclining chairs. Standees would not be permitted. Stations would be about 2 to 3 miles apart.

The intersection of the X was near the "Portal Site," which a real estate subsidiary of Chalk's company had won a contract in 1962 to develop. The Portal Site was a 7-acre property in the District's southwest quadrant. It was bounded by Maine Avenue, 12th, and 14th Streets, overlooking the waterfront. The Redevelopment Land Agency approved the lease for Chalk's company on June 6, 1962. According to the *Star*:

The decision to lease the land to Mr. Chalk, the agency said, was based on the fact that a design for an apartment and town house development he submitted was adjudged winner of an architectural competition in which there were 17 other competitors.

At the time of the announcement of the express bus plan, Chalk had not developed the Portal Site, and his plans for it were uncertain. [Lewis, Roger J., "Chalk Lease Approved For Southwest Tract," *The Evening Star*, June 6, 1962]

Representative Broyhill suggested that the company refer to the plan as the "Brand X" system. The three congressmen, who wanted to prevent the system from being known as the O. Roy Chalk Plan, said they would confer on possible legislation. They did not intend to ask NCTA for its views because, as Representative Broyhill put it, "It's no use consulting someone who has cast a vote for one solution, a rail rapid transit system." ["3 Area Representatives Back All-Bus System," *The Evening Star*, May 12, 1964; Eisen, Jack, "Transit Firms Sketch Bus Commuter Plan," *The Washington Post and Times Herald*, May 12, 1964]

While officials were considering rapid transit for the Washington area, Congress was completing work on a bill authorizing a national transit program. Strategists in support of the local program believed that the national program had to go first, but that it might put the NCTA plan in position for a vote later in the year. Prospects also appeared good, in that case, for congressional action on a proposed regional compact the area's political subdivisions were negotiating to operate the new rail rapid system. If the national transit program bill failed, congressional action on the local bill and the compact was out of the question. No Member of Congress would even introduce the bill if the national bill failed.

The timing was critical. As the *Star* put it:

[It] is important strategically to Mr. Sickles [the Representative from Maryland who headed the commission perfecting the compact legislation] and to Mr. Stolzenbach to avoid a collision course, defeating both their efforts, between the compact and the construction authorization. [Bassett, Grace, "National Transit Bill May Spark D.C. Action," *The Sunday Star*, May 24, 1964]

The Urban Mass Transportation Act of 1964

On April 4, 1963, the Senate approved the Urban Mass Transportation Act of 1963 by a vote of 52 to 41. It called for a \$500 million, 3-year program for mass transit grants, with \$100 million authorized in FY 1963. The Federal share of project costs would be two-thirds. An emergency program would be available to pay one-half the cost of projects to meet urgent needs where an existing facility or service would otherwise no longer be available. A Federal loan program initiated by the Housing Act of 1961 would continue.

Its sponsor, Senator Harrison A. Williams (D-NJ), had described the bill when he introduced it on January 14, 1963:

It will give municipal officials, agencies, and planners the encouragement and financial assistance needed to make mass transit feasible in our urban-suburban areas. As the history of the declining transit industry indicates, we will produce only talk until we put up the money at the Federal level for a comparatively small part of the job that must be done in so many areas of our Nation.

The bill I introduce today is sensible; it is modest; it can do the job.

And it is one of the most important pieces of unfinished business left behind by the 87th Congress. [“Mass Transportation,” *Congressional Record-Senate*, January 14, 1963, pages 214-217]

Despite this promising start in the Senate, the bill ran into problems in the House, as Professor George M. Smerk summarized in his history of the Federal role in urban transit:

In the House there was trouble; southern representatives, in an effort to retaliate against the Kennedy administration’s civil rights program, took on an anti-urban stance. It was felt that there was a good chance the House version of the bill would never get out of committee.

The impatient had much to be fidgety about. The House version of the bill remained in committee for more than a year, but in real fact the House Rules Committee [which held hearings in June 1963] was not responsible for the delay. The bill was held in the Rules Committee because House Speaker John McCormack [D-Ma.] felt that if the bill did come up for a vote on the floor of the House, it stood a good chance of being defeated. There were two good strategic reasons for the speaker’s reluctance; one was the need, for the transit bill’s sake, to wait for a propitious moment. The second was political wisdom on the part of McCormack regarding more important legislation

Following the assassination of President Kennedy, President Johnson had called for passage of the late President’s stalled legislation, beginning with the civil rights legislation:

Speaker McCormack was fearful he would jeopardize the Johnson administration’s reputation for legislative success by bringing the urban mass transportation bill to the floor prematurely. [Smerk, George M., *The Federal Role in Urban Mass Transportation*, Indiana University Press, 1991, pages 88-89]

The fact that the mass transit bill was still not on the White House's "must pass" list by April 1964 "set into motion an unusual train of events" that went back to 1963 when the House of Representatives voted down a bill to construct a rapid transit system in the District of Columbia. "Labor lobbyists in Washington, in a virtual explosion of short-sightedness, were persuaded to bring pressure against Congress to defeat the bill as an anti-labor measure." [Smerk, page 89]

This defeat convinced transit supporters that in 1964, they would need a coordinated lobbying effort, particularly in the House, to get the Williams bill approved. They formed the Urban Passenger Transportation Association (UPTA) to lobby on behalf of "central city interests, the transit industry, the railroads, and organized labor (which was now firmly in the camp of transit as long as there was a *quid pro quo* in the legislation that protected jobs)."

When President Johnson learned that labor was supporting this effort, he added the mass transit bill to the White House's priority list:

With the UPTA group successful in impressing the White House, the problem then became one of persuading enough congressmen to vote in favor of it to assure passage. As in all things political, success means having enough votes. The speaker had to be shown that there were sufficient Republican votes from northern urban centers to offset the predicted loss of Southern Democrats opposed to the transit bill because of their fear of more (after civil rights legislation) federal incursions into local matters.

With assurances from UPTA in early May that as many as 40 Republicans would vote for the bill, Speaker McCormack allowed the bill out of the Rules Committee, but still hesitated to schedule a floor vote:

The speaker, yearning to keep the momentum of legislative success rolling on, could hardly be blamed for his foot-dragging, because late in May the House Republican Policy Committee took a firm party stand of direct and unalterable opposition to the mass transit bill. The Republican Policy Committee rarely digs in its heels when it fears defections from G.O.P. ranks, but UPTA had been busy lining up Republican support and the transit lobbyists felt they had enough votes to get the transit bill passed.

Representative John W. Byrnes of Wisconsin headed the Republican Policy Committee, which included the House Republican Whip, five Republicans on the Rules Committee, three members at large appointed by the leader, and one member elected from each of several designated regions. On May 28, the committee objected to Democratic bills to raise the national debt limit to \$324 billion, continue excise taxes, and provide \$500 million for mass transit programs. [Walsh, Robert K., "Halleck Expects to Remain House GOP Leader," *The Evening Star*, November 17, 1964; "G.O.P. Fights New Debt Limit," *The Evening Star*, May 28, 1964]

Representative William B. Widnall, a Republican co-manager of the bill who represented a district based in Hackensack, New Jersey, finally forced Speaker McCormack to bring the bill up for a vote:

Widnall threatened to embarrass both Speaker McCormack and the White House; he promised to call a press conference to indicate that there was Republican support sufficient to pass the bill and at the same time denounce the speaker and the White House for obstruction of legislative procedures. [Smerk, pages 89-90]

On June 23, President Johnson held a press conference, during which he pressured Republicans to reduce obstacles to about 30 bills “that we think are desirable” and that “we would like to see acted upon.” He listed many of the bills, including the mass transit bill and the pending Federal-aid highway bill.

The following day, the House began debating the measure. Despite strong opposition (Representative Oliver P. Bolton (R-Oh.) called the bill “the keystone in the arch of Federal domination and control of every town in this country”), the House passed the bill 212-189 on June 25, with 39 Republicans joining 173 Democrats in support of the bill. *The New York Times* speculated on the bipartisan support:

Some observers professed to see President Johnson’s influence in the fact that 34 Southern Democrats, including seven from Texas, voted for the measure. All eight of the 10 Georgia representatives present for the vote supported the bill.

Another major factor in the measure’s support among Southern and rural members was its sponsorship in the Congressional session by Representative Albert Rains, Democrat of Alabama. His advocacy made it seem less of a “big city” proposal

Credit for assembling the bill’s majority also goes to a coalition of national organizations in the fields of transportation, housing, planning and urban affairs, which conducted a thorough campaign among House members.

President Johnson congratulated House members of both parties and hailed House approval as “a major step forward in cooperation between Federal and state governments on urban problems.” [Weaver, Warren, Jr., “\$375 Million Transit Bill Passed by House, 212-189,” *The New York Times*, June 26, 1964]

On June 30, the Senate approved the House version of the Williams bill, 47 to 36. The major change involved a reduced authorization of \$375 million over 3 years for capital grants on a short- and long-term basis. The amount in the original Williams bill had been reduced from \$500 million because the White House claimed that no more than \$375 million could be spent during the 3-year period. No State could receive more than \$47 million over the 3-year period. The long-term funds could be used for any capital project except highway construction. Short-term aid was available to keep troubled transit properties in operation while local officials planned a replacement service. The legislation continued the demonstration program initiated by the Housing Act of 1961, but expanded it to include research, development, and demonstrations initiated by the Housing and Home Finance Agency. It also continued the little-used loan program launched in 1961, but it would remain little used. [Smerk, pages 92-93]

On July 9, 1964, President Johnson approved the Urban Mass Transportation Act of 1964 (P.L. 88-365) during a signing ceremony in the Cabinet Room of the White House. Guests included Senator Williams, Representative Rains, Administrator Robert C. Weaver of the Housing and Home Finance Agency, and other Senators, Representatives, Governors, and Mayors.

President Johnson called the legislation “one of the most profoundly significant domestic measures to be enacted by the Congress during the 1960’s.” He put the measure in historical context:

Our Constitution empowered Congress to provide for post roads. Since that time, congressional support of transportation has been a major constructive influence on the progress and development of our American society and our American economy.

In the last century, such support of transcontinental railroads and canals and river navigation gave immeasurable impetus to our expansion. Now, in this century, sound congressional policies in support of both highways and airways for automobile and airplane travel has [sic] given incalculable momentum to American progress.

This new act that all of you have contributed to passing remains faithful to this tradition of vision.

Not so long ago, he pointed out, 6 out of 10 Americans lived in rural areas, but now 7 out of 10 lived in urban areas:

The change has come rapidly and has come dramatically, and today urban congestion is an unpleasant fact of everyday life for too many millions of Americans.

All of us recognize that the curses of congestion in commuting cannot be wiped away with the single stroke of a pen, or 50 pens that we have here. But we do know that this legislation that we are coming to grips with faces the realities of American life and attempts to put in motion a movement to do something about it.

It is symbolic of the challenge facing us that most Americans today travel to and from work over city street patterns that were originally laid out by the horses which pulled our grandfathers’ carriages.

We face a great task, publicly and privately, of catching up with our full potential and making life as good as it can be and making life as good as it should be for this generation of Americans.

He hoped that this “milestone measure will serve as a beneficial forerunner of many other steps forward in meeting the present challenges of metropolitan life in America.” He was, he said, “determined that we will provide the vision and the leadership necessary and that they will no longer be a stepchild and be neglected by their Government in Washington.” [Weaver, Warren, Jr., “President Signs Transit-Aid Bill,” *The New York Times*, July 10, 1964]

Professor Smerk said of the Urban Mass Transportation Act of 1964:

The 1964 Act, in any event, is the cornerstone of the federal transit program. Its aim is to provide aid for the improvement and development of mass transportation and to encourage the planning and establishment of areawide coordinated transport. Along with the planning provision of the Highway Act of 1962, the intention was to offer incentives to plan and develop a rational and integrated urban transportation system combining both the private automobile and mass transportation. [Smerk, page 91]

Even before House action on the national bill, Chairman Whitener had been optimistic about the prospects for District legislation. On May 14, the chairman addressed the Institute for Rapid Transit, a group formed in the late 1950s to represent rail commuter and rapid transit operators who felt the bus-oriented American Transit Association had not been sufficiently supportive of their interests. He thought his bobtail plan might yet pass with a different financial mix:

I do not believe it was a vote against rapid transit. Neither then nor since have I encountered more than a very few members who doubt the need for rapid transit in Washington.

To the contrary, I believe there is general agreement on the need for such a system.

Many of those who voted to send the bill back to Committee have since assured me that they believe such a system is needed and that Congress must assist in its creation.

By and large their problem . . . appears to have been with the financing formula which, many felt, placed too heavy a burden on the Federal Government and too little on the District of Columbia.

This is certainly a problem that can be solved, and I am hopeful that a revised formula, one that my colleagues will consider more equitable, can be developed at a very early date.

NCTA's subway plan, he said, had developed more public support than any other program for the city. Another source of optimism, he said, was that the controversy pitting transit against freeways was at an end. [Eisen, Jack, "Whitener Hopeful for Transit Plan," *The Washington Post and Times Herald*, May 15, 1964]

Now, passage of the national bill gave new hope to those in the Washington area hoping for a rail rapid transit system. As Professor Schrag wrote, however, patience would be required:

Encouraged, Stolzenbach was ready to go back into battle, but the White House decided to wait out the 88th congress and try again after the election A skeleton staff at NCTA designed a new transit development program to appeal to the new Congress; its official motto became "stay alive 'till '65." [Schrag, page 59]

Problems for the South Leg

As discussed earlier, District, NPS, and BPR officials signed an agreement on December 14, 1962, on building the six-lane South Leg (I-695) of the Inner Loop system to connect the Potomac River Freeway and the Theodore Roosevelt Bridge with the Southwest Freeway. Negotiations that had begun in 1960 resulted in agreement on dividing the South Leg into three segments. For the first segment, NPS would have complete control over the 1,400-foot tunnel under the Lincoln Memorial grounds from Constitution Avenue to a mid-point between the memorial and the Tidal Basin. For this segment, plans included removing the driveway between the memorial and the Reflecting Pool as well as the temporary buildings on both sides of the pool. BPR, which usually administered road construction projects for NPS, retained approval of consultants and final approval of plans. Buses and trucks would be prohibited.

BPR would be the contracting agent for the second segment from the mid-point to the Tidal Basin to just west of 15th Street. In addition, BPR would administer construction contracts to protect the cherry trees in the Tidal Basin area.

District highway officials would be primarily responsible for the third segment. It consisted of the interchange between 14th and 15th Street to provide the connection with the Southwest Freeway.

Each party to the agreement retained veto power over the work of the others. Construction, which would begin within a year, would be completed in late 1965. The estimated cost of the South Leg was about \$18 million. As Engineer Commissioner Clarke put it, that schedule “seemed reasonable.” He added, “We really don’t expect any trouble. We all understand each other’s problems.” [Flor, Lee, “Lincoln Memorial Inner Loop Tunnel To Be Begun in ’63,” *The Evening Star*, December 14, 1962]

Star editors were pleased but skeptical:

In the final analysis, however, the success of the new agreement will depend upon whether each of the principals who signed it—Gen. Clarke, Parks Director Wirth, and Federal Highway Administrator Whitton—continues to work together with a reasonable amount of good faith and mutual trust. [“‘In Accord’ – Again,” *The Evening Star*, December 18, 1962]

To comply with BPR requirements, the District Commissioners scheduled a public hearing on the South Leg Freeway for February 4, 1963, in the District Building. However, on February 1, District officials postponed the hearing because of a conflict with NPS regarding the interchange at 15th Street. The dispute stemmed from the desire of NPS to close 15th Street south of Constitution Avenue, NW., to reduce, by one, the number of crossings of the National Mall. NPS wanted to eliminate a ramp from the interchange to 15th Street, a change that would require redesign of the interchange.

NPS engineers questioned traffic figures for the interchange. William M. Haussmann, NPS's regional chief of design and construction, said his office was still looking at the figures. "We haven't really dug into the figures yet. Possibly there will be no disagreement."

The public hearing, as the *Star* explained, "was required by law to give property owners their opportunity to complain about freeways" before District officials could approve "general location" for the route. Until the "general location" was approved, the District could not transfer funds to NPS, the only property owner concerned with the South Leg, for construction of its segment. ["Early Solution Seen For South Leg Freeway," *The Evening Star*, February 2, 1963; Schuette, Paul A., "South Leg Of Freeway Hits Snag," *The Washington Post and Times Herald*, February 2, 1963]

Negotiations took longer than Haussmann expected. By July 1963, NPS had proposed construction of a second tunnel along the right-of-way of Independence Avenue for the segment through the Tidal Basin area. Negotiations among NPS, the District, BPR, NCPC, the White House, and the Commission of Fine Arts had remained out of public view until Chairman Natcher asked Aitken about the South Leg during a hearing on June 11 regarding the District of Columbia Appropriations Act, 1964. As discussed earlier, Aitken referred to the December 1962 agreement as "a gentlemen's agreement" on how to proceed. Chairman Natcher asked if the cost identified the previous year for the South Leg, \$18,442,000, was still valid:

Mr. Aitken. Well, pending agreement on the final plan, it is impossible to say whether that estimate will apply or not, sir; but it looks like the estimated cost now might be in the order of \$30 to \$40 million.

Mr. Natcher. How do you account for the difference here, Mr. Aitken?

Mr. Aitken. Well, it is an extension of the concept of the project. That is, the Park Service is interested in more tunnel construction so that this freeway will not disrupt the park features in this part of the city. [District of Columbia Appropriations, 1964, Hearings before a Subcommittee of the Committee on Appropriations, U.S. House of Representatives, 88th Congress, 1st Session, on H.R. 7431, page 649]

Months of negotiations resulted in an agreement announced on August 3, 1963. The new agreement called for a 1,300-foot tunnel under the Tidal Basin just north of Kutz Bridge. Six acres of the Title Basin north of the bridge would be filled and landscaped to blend in with the rest of the park area. According to the *Post*:

Roads and Park Service officials agreed all along as to the need for a Tidal Basin tunnel to protect the scenic aspects of West Potomac Park.

Roads officials felt that a 950-foot tunnel would have been adequate, according to Presidential Adviser Charles Horsky, but saw the need for a longer tunnel last week when the Park Service set out stakes showing the comparative lengths as they would actually appear.

The Park Service felt that a shorter tunnel would mean that traffic from the surface portion of the freeway would impair the view of the Tidal Basin from 17th Street nw

A feature of the plan would be a “park road” along the banks of the Tidal Basin. This would be, for the most part, the existing road.

NPS Regional Director Jett said the NPS was “delighted” with the agreement on the length of the second tunnel segment of the South Leg.

(The Kutz Bridge was named for General Charles W. Kutz, who served three terms as Engineer Commissioner – appointed by President Woodrow Wilson for 1914-1917, 1918-1921, and by President Franklin D. Roosevelt for 1941-1945 – longer than any other Engineer Commissioner. During his third tenure, General Kutz oversaw planning and construction of the bridge to carry Independence Avenue eastbound over the northern section of the Tidal Basin. The bridge, opened in 1943, is a purely functional bridge, with little ornamentation. Vertical clearance above the water is limited; the only vehicles on the Tidal Basin are pedal-driven, two-seat boats rented by tourists during the warmer months. The northern end of the Tidal Basin is within the median between the eastbound and westbound travel lanes of Independence Avenue.

(On February 24, 1954, Engineer Commissioner Prentiss and NPS Director Wirth participated in a ceremony naming the structure for General Kutz, who had died on January 25, 1951, at the age of 80. A plaque was placed on the west end of the bridge:

KUTZ BRIDGE
COMPLETED 1943 FOR THE
NATIONAL CAPITAL PARKS
BY THE DISTRICT OF COLUMBIA
UNDER THE SUPERVISION OF
BRIG GEN CHARLES W KUTZ
ENGINEER COMMISSIONER
1914-1917 -- 1918-1921 -- 1941-1945

(During the ceremony, Wirth said the bridge exemplified the role General Kutz played in the city’s development, but also the cooperation between the District and Federal agencies in the development of the city and the part played by the U.S. Army Corps of Engineers in that development. [“Gen. Kutz, Ex-Engineer Commissioner, Dies,” *The Evening Star*, January 25, 1951; “Kutz Bridge, Named For Former Officer Of D.C., Dedicated,” *The Evening Star*, February 25, 1954])

The District Commissioners announced the agreement along with plans for a public hearing on September 5 in the District Building on the South Leg and the Center Leg. [Doolittle, Jerry, “Officials Agree To Dig Tunnel At Tidal Basin,” *The Washington Post and Times Herald*, August 4, 1963; Flor, Lee, “Hearing Set on Tunnels Under Basin, Memorial,” *The Sunday Star*, August 4, 1963]

By the end of August, additional details of the plan had emerged. Given the NPS’s concern about trucks in the park area, officials had agreed to build the tunnels with only a 12½-foot clearance, less than standard for urban tunnels. Aitken told reporters, “this isn’t really much of a bone to gnaw on” since the South Leg had the same clearance where it passed under the

Theodore Roosevelt Bridge. Robert C. Horne of the NPS said the service was aware of the fire trucks and emergency vehicles that might need to get through the area, but said, “We know some military loads take more clearance, but there are a great many alternate routes such vehicles could take. We didn’t consider it a serious problem.” [Eisen, Jack, “Lincoln Shrine Tunnel Planned To Bar Trucks,” *The Washington Post and Times Herald*, August 30, 1963]

The date of the joint public hearing was shifted to September 3. As previously discussed, much of the focus was on the Center Leg. NPS Director Wirth took the lead in discussing the South Leg. He extolled the plan, with its tunnels under the Lincoln Memorial and the northern edge of the Tidal Basin. It would “accomplish the necessary traffic needs and also enhance the traffic circulation for the park user and visitor to the Nation’s Capital.” Construction of the 1,400-foot tunnel at the memorial would allow NPS to remove the present road in front of the facility. NPS planned to construct a “broad pedestrian plaza overlooking the reflecting pool.”

The plans also called for eliminating 15th Street at the Washington Monument. NPS and District highway officials were discussing how to tunnel 14th Street under the National Mall and to “dress up” the Washington Monument grounds.

With the critical focus on the Center Leg during the hearing, comments on the South Leg Freeway were generally supportive. However, Harold M. Wirth, representing the Board of Trade and the tire manufacturing association, recommended that the South Leg tunnels be built with a standard clearance of 14½-feet to ensure that military trucks would be able to use them in the event of a national emergency. [Eisen, Jack, “Width and Design of Freeway Draw Criticism at D.C. Hearing,” *The Washington and Times Herald*, September 4, 1963; “Inner Loop Plans Are Praised,” *The Washington Daily News*, September 3, 1963; “Center Leg Freeway to Evict 1,600 Persons, 105 Firms,” *The Evening Star*, September 3, 1963]

With the public hearing requirement satisfied, the District Commissioners approved the route of the South Leg Freeway on September 19. Aitken said officials were still discussing two design issues: a suitable link to the South Leg for northbound traffic on 14th Street, NW.; and a link for northbound traffic with the Rock Creek and Potomac Parkway. [“District Accepts Route for South Leg Freeway,” *The Evening Star*, September 19, 1963]

On October 23, 1964, Administrator Whitton selected Palmer and Baker, Inc., of Mobile, Alabama, to design the tunnel under the north end of the Tidal Basin. The contract, awarded for \$704,000, was expected to take about 15 months to complete. Whitton said that the location and design of the tunnel would give “every consideration . . . to the character of the area. No effort will be spared to preserve the existing amenities in Potomac Park, one of Washington’s most beautiful sections.” BPR had agreed to pay the entire cost of the \$16 million tunnel and approaches.

Meanwhile, plans for the NPS segment under the Lincoln Memorial plaza, also federally funded at 100 percent, were about 80-percent complete. The District’s 90-10 segment next to 14th Street was in the final design stage. [“Contract Let To Designer Of Tunnel,” *The Washington Post and Times Herald*, October 25, 1964]

Star editors appreciated the progress represented by award of the Tidal Basin tunnel contract:

These plans literally have required years of discussion. The results, however, are well worth the time – and the money – spent. Congratulations are due both the Highway Department and the Park Service, each of which, for once, has managed in this project to satisfy its own requirements without detracting from the other’s legitimate concerns. [“Under the Tidal Basin,” *The Sunday Star*, October 25, 1964]

President Johnson addressed the South Leg on February 15, 1965, in a special message to Congress on the needs of the Nation’s capital. It was a broad statement that covered many aspects of life in the District of Columbia. In speaking of the city as the capital, President Johnson said:

The District, as the Nation's Capital, must meet the special requirements imposed on the capital city of a great nation. We are committed to preserving and enhancing the great avenues, the great museums and galleries, the great sweep of the Mall.

He mentioned the initiative “to transform Pennsylvania Avenue from its present shabby state to a new dignity and grandeur.” He continued with examples of how development of highways could complement improvements to the city’s grandeur:

There are other areas where needed improvements can also be accelerated. The Washington Monument can be given the setting it deserves as soon as the development of the freeway from the Roosevelt Bridge to the 14th Street Bridge, and the 9th and 14th Street underpasses of the Mall permit the elimination of the 15th Street traffic from near the base of the Monument. The temporary buildings which huddled at its base are already gone, and the plans to improve its immediate surroundings must be pushed forward.

The Lincoln Memorial, long throttled by a circle of heavy automobile traffic, can be freed of its noose as soon as the freeway running beneath its grounds permits the area facing the reflecting pool and the Monument to be reserved for the visitor on foot. The Memorial will not achieve its proper setting, however, until the remaining obsolete and temporary buildings on Constitution Avenue are eliminated.

There are many other projects. Temporary buildings on public space throughout the monumental area must be removed. There is need to carry forward the plans to develop the potential of the Mall, so that it may be a place of life and beauty, of pleasure and relaxation. There is need for a Visitors' Center which will provide perspective and understanding regarding the Federal Government to the myriad students and tourists who come to Washington to see and learn

The great sweep of the Potomac River, Rock Creek Park, and the ring of parks where the old Civil War forts stood make the District a city in a park. In its heart the grandeur of the Mall, the many circles and squares, and the great street trees carry natural beauty to everyone.

Today there is new awareness of our urban environment. We can, if we will, make the District the symbol of the best of our aspirations. We can make it a city in which our citizens will live in comfort and safety, and with pride, and in which commerce and industry will flourish. We can make it a capital which its millions of visitors will admire. All this we must do. I am sure the Congress will join me in accepting the challenge.

By May 1965, the *Post* was predicting that the “great tunnel era” for Washington was about to get underway after years of “political and technical spadework.” Only “a few more obstacles” had to be overcome before construction would begin on the Center Leg tunnel under the Capitol and U.S. Botanic Garden grounds and the tunnels under the Lincoln Memorial grounds and the Tidal Basin. A 9th Street tunnel under the National Mall also was nearing construction:

The month of June promises to be a significant one for the District Highway Department’s underground planners. In that month, bids will be opened for the 1400-foot Lincoln Memorial tunnel; the Fine Arts Commission is scheduled to take a look at plans for the Tidal Basin structure, and the Highway Department is expected to wrap up negotiations with a developer on use of air space over the north portal of the Center Leg, connecting the Southwest Freeway and North Leg.

Issues of ventilation had to be resolved for the Center Leg tunnel. District highway officials had pushed advertisement for the construction contract to early 1966 instead of December as previously planned.

The South Leg was moving ahead:

Closest to reality of the four tunnels is the six-lane Lincoln Memorial structure, which will be built under the supervision of the National Park Service. Work could start in two months, if all goes without a hitch

The Lincoln Memorial tunnel will skirt the southeast corner of the shrine itself. Because it will be only 1400-feet long, ventilation will not be a major problem. The ventilation system will be aided by the piston action of traffic which will help air the tunnel.

The other South Leg tunnel also was progressing:

Further east at 17th Street, just north of Independence Avenue, the South Leg has been designed to dip under the Tidal Basin for 1600 feet. The Federal Government will pay the estimated \$16 million cost of the tunnel and the Bureau of Public Roads will supervise the building.

Plans to drain the Basin at that point and run the road overland were rejected, to preserve the beauty of the Basin. But the Basin will have to be drained temporarily when the trench is cut, possibly early next spring, according to Galyn Wilkins, regional director of the Roads Bureau.

The 9th Street tunnel under the Mall was in the design stage.

The *Post* summed up:

It all adds up to the busiest tunnel activity of any city in the country. It is all the more remarkable because, like most big projects in Washington, a host of agencies are involved. [Morgan, Dan, "City on Brink Of 'Tunnel Era' For Its Roads," *The Washington Post and Times Herald*, May 24, 1965]

The Strange "Directive"

Within a month, a potential problem emerged in the Senate Committee on Appropriations.

On May 6, the District Subcommittee of the Senator Committee on Appropriations held a hearing where nondepartmental witnesses could comment on the District's proposed FY 1966 appropriations act. Peter S. Craig had been one of the witnesses, testifying as chairman of the roads subcommittee of the Committee of 100 on the Federal City. He requested deletion of appropriations for the District's share of five freeway projects: the Potomac River Freeway extension, the North Leg (west and center sections), the Center Leg, and the North Central-Northeast Freeway.

Based on Chairman Natcher's figures, Craig estimated that the five projects "contemplate the allocation of \$42,300,000 (10 percent in the District of Columbia appropriations and 90 percent in Federal aid), of which \$42 million would be for condemnation of property":

This \$42 million to be spent for the destruction of homes, churches, businesses and industry, would be more than the total amount of all capital outlay by the general fund and sanitary fund for schools, recreation, health, welfare, sewers, and so forth. In other words, the capital outlay budget . . . proposes to spend more for destruction of the city than for all public construction projects combined.

The five projects, he said, should be deleted for many reasons, but with only 5 minutes allotted to each witness, he would touch on only one reason, "and that is their illegality." He explained that, "Over the past several years, District highway planning has descended to a state of total anarchy." The agencies he said were responsible for planning (NCPC and NCTA) "have virtually abdicated their authority to the District of Columbia Highway Department." In the absence of home rule, the District Commissioners "act as if they don't care what their own citizens want – they have not bothered to even attend their own 'public hearings' on proposed freeways for over a year and a half."

More to the point, the freeways proposed by District highway officials "are totally beyond the limited authority given [to] the District Commissioners by Congress." Craig said that the official position was that if BPR approved a freeway "this is 'tantamount' to congressional approval and the [District] law as enacted by Congress may be ignored." This official position "has now been knocked into a cocked hat." The basis for his view was an opinion (B-156541) issued by Comptroller General of the United States Joseph Campbell on April 26, 1965, in response to an inquiry from Chairman McMillan of the House District Committee on April 13. Craig explained

that the opinion indicated that BPR approval does not constitute approval by Congress, and quoted the following passage:

Congress by including the District within the framework of the Federal-aid highway laws, may not be said to have abdicated its role in the conduct of the local aspects of the District's highway problems. Authority of the Commissioners of the District of Columbia concerning highways, streets, and bridges is contained in title 7 of the District of Columbia Code It does not seem reasonable to construe the authority granted to the Secretary of Commerce to participate with the District as an abandonment to the Secretary and the Commissioners by the Congress of its control and concern over the District highway matters.

In short, the authority granted by Congress to the District of Columbia under the Federal-aid highway program to construct Interstate freeways did not free the city from its own laws, also granted by Congress, for highway construction.

Craig summarized:

It is therefore clear, beyond any doubt, that the authority of the District Commissioners to build these freeways cannot arise from such "deals" as may be arranged between the District Highway Department and the Bureau of Public Roads. Instead, such authority, if it exists, must be found in title 7 of the District of Columbia Code.

District highway law, as enacted by Congress, authorizes the Commissioners to add new highways to the permanent system of highways only after prescribed notice, only after a public hearing, only with the approval of the National Capital Planning Commission, and only if such new highways do not exceed 160 feet in width.

The five freeway projects to which we take exception violate each of these limitations If the District Commissioners are of the opinion that any of these five projects have theoretical justification, it is incumbent upon them to subject their proposed legislation to the Senate and House District Committees and obtain the necessary legislative authority before they come to this committee asking for appropriations.

General Duke took strong exception to many aspects of Craig's testimony. In a May 10 letter to Chairman Byrd, General Duke responded. For example, he reacted to Craig's implication that the \$42 million to be spent on right-of-way acquisition for the five freeway projects could be transferred to the general fund for other uses:

Such is not the case. Ninety percent of this money is in the form of Federal-aid, and if not used for the highway purpose states, will not even be made available to the District.

General Duke also discussed the Comptroller General's letter. He would have selected a different paragraph from the letter to highlight, namely:

Of course, as a practical matter, the Congress retains its control over the District's highway program through the appropriation process. And if moneys are appropriated for

the District's share of a Federal-aid highway project, there would not be any question as to the authority for executing the project. But as we understand your inquiry, it is directed toward the rather technical question of whether sufficient authority exists to support an appropriation request in the first instance. While for the reasons stated above, we believe it would be more appropriate for the Congress to enact legislation specifically authorizing appropriations to the District for such purpose, we express no opinion as to whether a proposed appropriation therefor in the absence of specific authorizing legislation would be proper under the rules of the House of Representatives which is a matter not within our jurisdiction.

The District of Columbia, General Duke stated, did not make "deals" with BPR. All major highway projects are presented to NCPC for review and recommendation, as well as to the public in the form of hearings. "If it is the desire of the Congress that the District change the present procedures, we of course will be most happy to do so."

General Duke also responded to Craig's point about Section 7-108, the District's code on highways. "This was a matter of concern a number of years ago, and it was reviewed in detail by District officials, including members of our corporation counsel's staff." The law in question had been established by act of Congress approved on March 2, 1893. It provided "for extension of a permanent system of highways over all that portion of the District not included within the limits of the cities of Washington and Georgetown." Review of the issue showed that Congress had modified this 1893 legislation. In legislation approved in 1913 and 1924, the predecessor of NCPC had been given authority over the size and character of major thoroughfares. Later, Congress had included the District of Columbia among the States for construction of the Interstate System, subject to approved design standards that would require roads wider than 160 feet.

[District of Columbia Appropriations for 1966, Hearings before the Subcommittee of the Committee on Appropriations, United States Senate, 89th Congress, 1st Session, on H.R. 6453, 1965, pages 457-459 (Craig testimony); pages 459-467 (Craig's statement); pages 469-472 (General Duke's letter); pages 475-476 (Comptroller General's opinion); pages 476-477 (city's opinion on Section 1-108)]

(This narrative will return to the 1893 legislation at a later point.)

The issue Craig raised about the authority to approve freeway projects would affect the Senate Committee on Appropriation's report on the District of Columbia Appropriation Bill, 1966, issued June 16, 1965. It was, in many ways, a routine measure covering a wide variety of District funding needs. The bill's proposed appropriations for the Department of Highways and Traffic were identical to the amounts in the House bill for electrical improvements (\$602,000); street improvements and extensions (\$3.7 million); highway planning, programing, surveys (\$400,000); and Interstate and primary, secondary, and urban projects, including:

- North leg, west section, inner loop - \$110,000
- South Leg, inner loop freeway - \$30,000
- Center leg, inner loop - \$900,000

- Northeast, North-Central Freeway - \$520,000
- Potomac River Freeway - \$1,600,000
- North leg, central section - \$1,200,000
- Interchange C, inner loop - \$150,000

Although these amounts were routine in that they matched the House appropriations bill, the Senate Committee on Appropriations included a statement in its report that had not been in the House report:

Highway program.—Several members of the committee have expressed deep concern about the absence of effective legislative control over the District of Columbia highway program. The committee shares this concern. Accordingly, the committee directs that all future budget estimates for the District of Columbia highway program be presented on the basis only of prior authorization by the respective District legislative committees. [District of Columbia Appropriation Bill, 1966, Committee on Appropriations, United States Senate, 89th Congress, 1st Session, Report No. 333, June 16, 1965, pages 12, 16]

Senators Clifford Case, William Proxmire (D-Wi.), and Joseph Tydings had drafted the language.

(A statement in a committee report is not a law or even, technically, a requirement, but as a practical matter, they have an effect because if the committee insisted on following this new procedure before taking further action, the District would have to act accordingly.)

When the Senate took up H.R. 6453 on June 22, it passed 76-14. However, as the final parliamentary move was about to take place to make the vote official, Senator Bible asked the floor manager, Senator Byrd, a question about the paragraph in the committee report. As preamble, Senator Bible said that the report appropriated \$900,000 for the Center Leg and that the District had spent approximately \$28 million for the freeway to date. This was an example of the “very important” question raised by the paragraph in the committee’s report:

My query is, Does the Senate committee language require the Highway Department to come back next year for authorization to proceed with the center leg of the inner loop after \$29 million has already been expended on this project?

Senator Byrd replied that several members of the committee raised the “necessity, in their judgments, for the District Highway Department to come before the legislative committees of the Congress for authorization before the Department proceeded with work on projects in the District of Columbia.” He had been reluctant to write the language because he did not want to straitjacket the District highway officials in pursuing projects “for which funds have already been allocated and appropriated.” Given his reluctance, the subcommittee authorized him to appoint a three-person committee to draft the language.

He introduced a letter dated June 15 that he had received from Engineer Commissioner Duke about the language. General Duke said that Representative McMillan, chairman of the House District Committee, had raised a similar concern in 1964 about activities and projects that were,

at the time, authorized only by appropriation acts. On advice of the District corporation counsel, General Duke told Senator Byrd:

There is no question but that the highway program of the District of Columbia is fully authorized by existing law. This is in contrast with other programs of the District for which authorizing legislation has only recently been drafted and submitted to the Congress.

Carrying the implication of the subcommittee's paragraph to its logical conclusion, General Duke wrote that Congress would have to approve authorizing legislation separately for minor widening, curb and gutter work, improving unpaved streets, traffic controls, and other minor highway-related activities.

The District also checked with the Comptroller General of the United States, who agreed that separate authorizations were not needed. General Duke quoted the reply:

“We agree with the Commissioners that inclusion of the District of Columbia within the term ‘State’ as used in Federal-aid highway legislation imparts a clear congressional intention to authorize District participation in the program” and “if moneys are appropriated for the District share of a Federal-aid highway project, there would not be any question as to the authority for executing the project.”

General Duke added that in obligating the District to complete all Interstate highway segments by October 1, 1972, “all of the elements of the Interstate System for the District of Columbia have been approved by the Congress and at least partially funded by appropriations through fiscal year 1965.”

Senator Byrd yielded to Senator Case to explain the concern that prompted the paragraph. Senator Case said:

We are concerned about the free hand which the Highway Department of the District of Columbia has been exercising in regard to streets and highways within the District. It has seemed to us that, when they get money to spend, it constitutes a kind of legislative authorization for their activities; that this is all they require.

He and his two colleagues thought “the legislative committee in the Senate and the legislative committee in the House have this responsibility as the governing body of the District of Columbia—which, in fact they are.” He was referring to the Senate and House District Committees.

This view had been prompted by his deep concern that “this monstrous plan for highways through and over the District of Columbia” was moving forward “like a juggernaut without really any responsible control by any governing authority.” He referred to a June 18 article in the *Post* by Wolf Von Eckardt titled “Freeway Tunnel Model Unveiled.” Senator Case said of the article:

The general thrust of the article is that if we are lucky, the Highway Department may permit us to save the beautiful Tidal Basin in front of the Jefferson Memorial, because

they will do something about changing the present plan which now involves, for example, the running of a great wide roadway right over it. They may even consider a change in the plan for tunneling under the Lincoln Memorial so that the beauty of this fine edifice and national monument will not be destroyed. But, they may not.

The article, introduced into the record, discussed President Johnson's beauty initiative launched earlier in the year with the First Lady. Secretary of the Interior Stewart L. Udall had retained architect Nathaniel A. Owings of Skidmore, Owings and Merrill "to take a critical look at Park Service plans to enliven the Mall and the project to slash the city's monumental heart with the proposed southern leg of the Inner Loop Freeway." Von Eckardt described the route of the South Leg/I-695:

As presently conceived the six-lane ribbon skirts the proposed John F. Kennedy Center for the Performing Arts. It worms its way under the Lincoln Memorial, covers a part of the Tidal Basin and then sends its tentacles onto the 14th Street Bridge just to the side of the Jefferson Memorial.

Planners, he stated, "have long felt uneasy about this radical highway surgery" because they thought it might "leave serious scars on a symbolic park that is the pride of the entire Nation."

Although Owings did not expect officials to repeal the freeway, he hoped to minimize the damage. "He has reportedly succeeded in persuading the highway engineers to spare the Tidal Basin" by tunneling the freeway under "that lovely body of water and preserve its natural contours." Owings also would "eliminate the present Independence Avenue crossing, which most planners consider an eyesore." He would create a walkway around the basin and plant additional cherry trees.

In addition, Owings was considering the other end of the freeway:

He also intends to restudy thoroughly the freeway's Lincoln Memorial tunnel which under present plans creates an enormously wide, cave-like gash at its entrances. This might be even more disturbing at night than during the day, since the wide tunnel under the shrine would, of course, have to be well lighted.

Owings also hopes to find some solution to the problem of leading the freeway ramps onto the 14th Street Bridge without giving the Jefferson Memorial the appearance of a lump of sugar in a bowl of spaghetti.

(In 1963, the *Post* hired Von Eckardt, who had fled Germany as a teenager with his mother and sister in 1936, to be the newspaper's art and architecture critic.)

After summarizing the article, Senator Case concluded:

It is time that someone besides the Highway Engineers for the District of Columbia makes these decisions. Anyone who has looked—as I have done many times before—at what has happened to the small segment of the highway plan which has been completed—and it is not all completed yet—in Southwest Washington, and who has seen

the destruction wrought by the construction which has begun in other areas near the Potomac River, cannot help feeling that it is time we called a halt to it.

The legislative committees of Congress should “have responsibility for deciding whether the plans should go through or not.”

When Senator Bible repeated his question about the prior investment in the Center Leg, Senator Case replied that “just because they may have made a start on a certain program, but have not had the moneys appropriated for any other part of it, does not necessarily give them carte blanche authority to finish it as they wish.” Instead, “they should feel they are obliged to get whatever approval is required on the basis of justification for the continuation of a certain job.”

Senator Tydings added that he and his colleagues did not mean to criticize District highway officials, but felt that “somewhere in the legislative process there should be somebody which [sic] would be answerable to the people at some time for the highway program of the District of Columbia.” He and his two colleagues thought the District committees should be that place. Until the District achieved home rule, anyone who wished to criticize the highway program “should be able to go to the appropriate legislative committee.”

After the colloquy about the paragraph, the Senate completed the parliamentary procedure for passage of the bill. [District of Columbia Appropriations, 1966, *Congressional Record-Senate*, June 22, 1965, pages 14349-14352; the Von Eckardt article, “Freeway Tunnel Model Unveiled,” is on page 14352]

Because of differences between the House and Senate versions, a conference committee was designated. The committee completed work on June 30. The Conference Report listed how differences were resolved, but added:

Highway program.—The managers on the part of the House are not in agreement with the statement in the Senate report which reads as follows:

Accordingly, the committee directs that all future budget estimates for the District of Columbia highway program be presented on the basis only of prior authorization by the respective District legislative committees. [District of Columbia Appropriations, 1966, Conference Report to Accompany H.R. 6453, 89th Congress, 1st Session, Report No. 568, June 30, 1965, page 4]

The House took up the conference report on July 1. After describing other elements of the final bill, Chairman Natcher discussed the statement in the Senate report. Referring to the Interstate System, he said, “Any effort to bring important highway projects in the District to a complete halt is a serious mistake.” The conference report, therefore, “clearly shows the attitude of our committee . . . and emphatically states that we disagree with the language contained in the Senate report.” He clarified:

This statement is not to be construed to mean that the committee is opposed to proper authorization for the various projects, but we are of the opinion there is already sufficient

general authority for the highway program and we feel that future budget estimates should be submitted in accordance with current procedures.

After the floor debate covered other issues, Representative O’Konski warned his colleagues that “very shortly there is going to come before this House a \$488 million bill to start a subway system in the Nation’s Capital.” The District’s share would be \$50 million. He asked Chairman Natcher if the pending bill included the \$50 million.

Chairman Natcher replied that the bill did not. The District would have to pay the \$50 million from tax revenue, the Federal payment to the District, or other sources. He added:

I would like for the gentleman to know that here in the District of Columbia there may be a place for both a rapid transit system and the highway system that we now have underway. But our committee under no circumstances is willing to permit those advocates of a rapid transit system to stop the highway program in this city just to see that the District of Columbia gets a rapid transit system.

Representative O’Konski warned his colleagues that the subway bill that would soon be coming to the House was “just the first bite of a possible \$3 billion subway system in the Nation’s Capital to be paid for by the taxpayers all over the country.”

Without further discussion of the highway or transit issue, the House approved the bill. [District of Columbia Appropriations, 1966, *Congressional Record-House*, July 1, 1965, pages 15504-15505]

Grace Bassett’s report in the *Star* on the vote began:

The House voted today its support of the District interstate freeway system with a unanimity meant to impress pro-transit opponents of highways. The vote of confidence was taken as the House passed, without objection, a \$360 million budget for the city.

After quoting Chairman Natcher’s comment about opposing efforts to stop highways to promote the subway, she added, “Nobody took this unlikely opportunity to defend transit.” She also cited Representative O’Konski’s warning to his colleagues about the transit bill they would soon be considering. “For years,” she told readers, “O’Konski has tried to block the big transit proposal given first priority locally by the White House.” [Bassett, Grace, “D.C. Budget Voted, Freeway Program Backed in House,” *The Evening Star*, July 1, 1965]

In “New Threat to Transit,” the *Star*’s editors wrote about the Senate Appropriations Committee’s “strange ‘directive.’” Following House action on the bill, “the confusion now is greater than ever.” Whatever “this obscure language” was intended to convey, the editors agreed with Chairman Natcher’s view that District highway officials had sufficient general authority for the Interstate program. They added:

For the mischief it has caused already has spread far beyond the problem of confused highway financing. No doubt unwittingly, the authors of this silly provision are also

responsible for a distinct new threat to Washington's rail-transit bill, which is due in the House for a vote in the next two weeks.

Chairman Natcher's warning to those who would block highways to promote the subway had to be taken seriously. The editors did not believe that groups advancing the transit bill, including NCTA, were trying to kill the freeways. However, "there are also those in the community whose first concern is not with the transit program, but in stopping freeway construction at any cost." These individuals "would welcome the confusion that would be generated by another divisive highway-transit feud," just as Representative O'Konski would welcome it in his longstanding effort "to scuttle the rapid transit bill in the House." ["New Threat to Transit," *The Evening Star*, July 5, 1965]

When the Senate considered the conference report on July 13, the strange "directive" took up most of the debate. After Senator Byrd summarized the contents of the final bill, Chairman Randolph of the Subcommittee on Public Roads wanted to make clear that he agreed with the language in the conference report stating the House's objections to the disputed language. "I believe that it requires discriminatory treatment of the District of Columbia in the administration of the highway program." District officials already were required by statute to conduct public hearings and consult with NCPC, NCTA, and the Commission of Fine Arts. The Senate report language, if implemented, "would unduly burden the officials charged with the responsibility to administer this program."

Senator Randolph pointed out that Section 105 of Title 23, United States Code, provided that following apportionment of Federal-aid system funds, the States, including the District of Columbia, "shall submit to the Secretary for his approval a program or programs of proposed projects for the utilization of the funds appropriated." The Senate report language "would violate the intention of the Congress in the Federal-aid highway statutes and would create an unnecessary and burdensome requirement on the District of Columbia." He wanted a colloquy with Senator Byrd on the record to try to clarify the issue.

Senator Byrd said he agreed with Senator Randolph. When the issue had come up in committee, Senator Byrd had suggested that the issue might be better handled by an amendment to strike whatever in the House bill the three Senators who raised the issue objected to "in order that we could take the question to conference with the House and resolve it there." He pointed out to the Senators that the committee had not questioned the District Highway Department on whatever issue they objected to, as reflected in the paragraph, and that putting the language in the report was a mistake. "I believe that subsequent events have substantiated and proved my position correct at that time."

Senator Case admitted that he had been "pressed by a number of good people and concerned people" to clarify the statement in the Senate report:

My own view is that the most helpful thing that any Senator can do in this matter at this time is to bring about a thorough investigation of the question, not only of its impact upon the city of Washington, our Federal city, but upon all cities included in the interstate highway program.

That is not said lightly.

He cited a July 11 article by Von Eckardt titled "Damning the Auto Won't Save the City." Senator Case cited the first paragraph:

If the beauty and grandeur of the National Capital are to survive the next decade, we must take a creative new approach to the design of our proposed freeway system.

The article stated that "ramming" superhighways "through the living tissue and green lungs of the city can only lead to its Los Angelization." However, people should understand that rapid transit was not "the exclusive road to the orderly growth, livability and continued majesty of this seat of our National Government." Developing the necessary balanced transportation system "takes creative teamwork":

The endless and at times almost fanatical hassles between pro- and antihighway and pro- and antirapid transit advocates have only accomplished one thing: an unconscionable delay of both programs. Good transportation has suffered as a result, and good transportation is essential to a well-functioning city.

Instead of creative design, "all we are given is two equally disastrous alternatives." Some, including NCPC, agree with urban critic Lewis Mumford's suggestion: "Forget the damned motor cars; design the city for friends and lovers." Unfortunately for these critics, the automobile is here to stay. "And friends and lovers are not likely in the foreseeable future to transport themselves to their encounters by other means than wheels."

In Washington, "the spaghetti confusion of the freeway approaches east of the 14th Street bridge is bad enough," but it was "outclassed by the octopus ugliness of the Theodore Roosevelt Bridge and its ramps on both sides of the Potomac." The article repeated the summary of the South Leg proposal from the earlier article.

After a lengthy discussion of urban planning, the article turned back to the South Leg, suggesting that "the sane thing to do is reconsider the whole thing." Owings was reviewing "the first dismal proposals" but even putting the entire freeway in a tunnel "won't be able to get all the bugs out of it."

The article concluded with a recommendation that President Johnson appoint "a committee to review and approve all freeway plans in the interest of the whole Federal City and what it stands for."

After inserting the article in the record, Senator Case said:

I am not satisfied with the present procedures which confront the city of Washington in the next few months with the destruction of 100 acres of Potomac Park. One hundred acres of precious parkland in the District of Columbia will be covered with concrete. That is what will happen under the present system. This is not such a great system, after all, if it results in this kind of thing. We must stop it.

At least the highway engineers were not planning to run the freeway directly under the Lincoln Memorial. “That is something wonderful, of course,” but the taking of 100 acres of Potomac parkland “is a desecration that must not be allowed to take place. Yet that is what is planned.” Although the highway engineers had agreed to put a tunnel across the Tidal Basin, the tunnel would end in “a spiral of exits and ramps, and what-not, to get to the 14th Street Bridge.”

Some victories had occurred across the city, but they were haphazard. “The only reason why Glover Park [sic] has been saved from being overrun by the highway department builders is that the majority leader objected.” Representative Mansfield had a personal interest that was “good for the community.” In Virginia, the only reason freeways had not destroyed Spout Run was that the Department of the Interior “stood against it.”

At present, “the situation is very unclear and most unsatisfactory of its results.” As for the language in the Senate report, Senator Case said:

The language is in there for the purpose of expressing the concern of the Senators responsible—and I am one—about a situation in which we are being very unwise in letting the force of great sums of Federal money press upon not only the city of Washington but also other cities, with the result that what could be an enormous blessing and a great boon to those cities in the way of transportation and for other purposes is being misused, causing problems that we shall live to regret, and the loss of strong values that we can never replace.

Senator Tydings said that the Senators who drafted the language “determined that for a number of years the legislative committee of the District of Columbia had not been passing on any of the major highway projects” in the District, and that this went back to 1956.

The language was not meant as a criticism of highway officials, but:

We did feel that, in as important a matter as the highway program in the Capital City of the United States, no administrative body should be permitted to operate in a vacuum.

Senator Patrick V. McNamara (D-Mi.), chairman of the Committee on Public Works, pointed out that “if we are going to take over the highway program to the extent it is indicated that it might be taken over, action had better be taken before it is too late.” The result would be further delay in the District’s highway program. Moreover, there was no point in having the Committee on Public Works “do much work on the highway program when someone behind us will have a veto power over it.”

Senator Tydings made clear he was not referring to the Committee on Public Works, which in his view should not tell any city what to do, but should stick to “broad, general guidelines applicable to all municipalities.” The District was different, subject as it was to the Senate and House District Committees.

Senator Bible agreed with Chairman Natcher that the District already had statutory authority to advance Interstate projects and had it since 1956. Further, District highway officials cannot act alone. They have to secure clearance from NCPC, NCTA, and the Fine Arts Commission.

What he wanted to know is whether the District had to return to the District legislative committees before securing appropriations to continue Interstate projects. Senator Byrd replied that he did not think so. However, Senator Case reiterated the point that “the legislative committees of both the Senate and the House should keep a continuous surveillance and oversight of the building of roads in the District of Columbia as if they were, in effect, the governing body of any municipality”

Senator Bible cited the Center Leg as an example of millions of dollars having been spent, but the language seemed to indicate the District, nevertheless, would have to go back to the authorizing District committees. Senator Case said that in his view, “Before the center leg is built, the committee ought to have a look at the project and approve the depth, the width, and the construction of it.”

In that case, Senator Bible asked if Senator Case denied that the District had sufficient authority under the Federal-Aid Highway Act of 1956 to build the Center Leg. In reply, Senator Case said, “The Senator is correct.”

Senator Bible asked if Senator Case thought legislation should be enacted. Senator Case replied:

I do. We should consider the desirability of what I think is the first danger, and that is the roadway to Potomac Park. We should consider how that should be built, how it should be constructed, and how it should be connected with the 14th Street Bridge. We should consider the roadway in terms of what it would do to the existing parkway and in terms of what should be exacted from the highway system in recompense for the approximately 100 acres that would be taken.

Senator Bible emphasized that he thought the 1956 Act “provides ample legislative authority for the District government to construct its Interstate highway system . . . without additional or specific project legislative authority from the District legislative committees.”

Senator Case acknowledged an honest difference of opinion, saying in support of his view:

The best proof of that is what is going to happen to the District of Columbia, to Potomac Park, 100 acres of which will be wiped away and put under concrete, unless action of this sort is taken.

Senator Bible suggested consulting the Attorney General on the question of legal authority, but Senator Case replied that if the Attorney General “tells us the law as it now stands provides that the Secretary of Commerce—and that means the Public Roads Department in this instance—has a right to take any Federal lands he desired for the Interstate System, then I think, quite clearly, the law ought to be changed.”

Senator Randolph said he shared the concern about the beauty of the District of Columbia. However, “we must be very careful not to retard the orderly building of roads in the National Capital City and its environs for we must build these roads to accommodate the increased movement of traffic, both people and products and for better safety standards as well.”

Senator Byrd re-introduced General Duke's June 15 letter about the city's authority as well as a June 28 letter in which he discussed meeting with Senator Tydings, who said the provision did not apply to elements of the freeway system already planned that had received appropriations. It applied only to future projects. Because General Duke had briefed the Senator on the existing program, "his interpretation . . . was quite encouraging to us," but perhaps city officials misunderstood him.

Senator Byrd recalled asking Administrator Whitton about the provision when he testified before the Appropriations Subcommittee on the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies. Senator Case was present. Whitton, who had not seen the paragraph, asked for time to think about the language. Senator Byrd asked him to think about how it would affect the District's ability to meet the 1972 deadline for completing the Interstate System.

Whitton submitted a statement that emphasized that Federal law gave the States, including the District, the authority to proceed to complete the Interstate System within the specified time frame. The proposed additional review "could seriously disrupt and delay not only highway planning but the total overall planning for the area." The District already was far behind the States in completing its Interstate segments. Further delays could result in lapsing of the city's Federal funds.

Senator Byrd concluded that these letters and the Whitton statement provided "ample evidence to the mistaken judgment of the Appropriations Subcommittee on the District of Columbia as it is revealed in the language which appears in the report of the committee."

If that is so, Senator Case asked, "Does the Senator approve of the proposed extension of the Interstate System as it is now contemplated through Potomac Park?" Senator Byrd replied that he felt such decisions were the responsibility of the District Highway Department. He did not want the Congress to act like a State highway agency.

Senator Case said:

If the Senator does not believe that we have a responsibility to say "yes" or "no" when park land in the District of Columbia is planned to be taken for highways, he and I have a complete disagreement. Have we such a disagreement?

Senator Byrd replied, "we absolutely do." He thought the Appropriations Committee "has the responsibility of examining projects which are brought before it."

Senator Case wondered how the chairman could say this when the committee approved appropriations for the Three Sisters Bridge even though "the location of the bridge has not even been determined as yet." He went back to his earlier point, asking Senator Byrd if "as a person, not a Member of the Senate," he approved the taking of 100 acres for the South Leg.

Senator Byrd, instead of replying directly, said that if Senator Case objected to the South Leg, he should have introduced an amendment to delete the funds from the bill instead of introducing

language in the committee report that would “cripple the highway program.” Senator Byrd was confident in the judgment of the District Highway Department and BPR.

Frustrated that Senator Byrd would not offer an opinion on the South Leg, Senator Case repeated his objections to the destruction of parkland as a result of its design. “I ask the Senator again, Does he think that is a good idea?”

Senator Byrd replied, “That is not for me to say.” It was up to District and BPR officials. “The committees in a legislative body . . . do not possess the engineering experience and know-how to make these very difficult and technical determinations.”

Senator Case said he did not “want to play games.” He said:

I take it that the Senator feels, whether he agrees with it or not—and this will remain locked within his bosom, apparently—that it is a good idea to lay the concrete proposed to be laid across the 100 acres of the Potomac Park when it is not necessary.

Senator Byrd replied that Senator Case was not directing his comments to the issue. The issue was whether the committee report “is to be permitted to straightjacket the Highway Department of the District of Columbia,” with the result that roadbuilding would be delayed and the city might lapse Federal funds.

Senator Case said that, “It is wrong to have the force of Federal money on the basis of 9-to-1 poured in upon the cities and thus push them into unwise thinking all over the country.” The plan for the South Leg through Potomac Park was “the most striking example” of the problem.

In closing the colloquy, Senator Byrd said he was in good company in his views. He hoped the process in the city would proceed as advocated by the Chairmen of the District Committee and the Public Works Committee, as well as “the chairman of the Appropriations Subcommittee on the District of Columbia in the House of Representatives.” Senator Case did not concede the point, believing that his position would “succeed on its merits.”

The Senate, after discussing other issues, approved the bill “by voice vote with only four Senators on the floor at 8 p.m.,” according to the *Post*. [District of Columbia Appropriations-Conference Report, *Congressional Record-Senate*, July 13, 1965, pages 16666-16683; Von Eckardt’s article, “Damning The Auto Won’t Save The City,” is on pages 16669-16671; Morgan, Dan, “D.C. Budget Enacted After Brisk Debate,” *The Washington Post and Times Herald*; July 14, 1965]

On July 16, 1965, President Johnson held a signing ceremony in the White House Rose Garden for the District of Columbia Appropriations Act, 1966 (P.L. 89-75). With the city’s law enforcement forces well represented, he highlighted the funds appropriated to fight crime in the city. He also signed Executive Order 11234 on “On Establishing the President Commission on Crime in the District of Columbia.” His remarks, which did not mention the highway issues that had been so contentious in the final days of congressional action, ended with:

Let me conclude now by saying this: the District of Columbia has meant much to me practically all of my adult life. As I cherish my own home country that is far away this afternoon, I love this Capital City, I love its beauty and simple dignity, and all the meaning that is present here in its past and that is present in its promise.

There are many things that I hope to accomplish during my allotted time in this office. But with all my heart, I hope that for generations to come these will be remembered as the years when Washington flowered into its finest age.

This bill that I am about to sign is only a steppingstone, and all of us know that. There is more, though, much more, that is needed. What is needed will be done generously and fully.

We can all be proud to share in this work together, and I hope that the time is not too far-distant when this little group meeting on this porch this afternoon can reassemble and take inventory, and can point with great pride to the progress that began here this afternoon with the signing of this appropriation bill.

To the Members of the Congress who labored unselfishly long and hard to bring these results about, we say thank you for your understanding, and we will try to be worthy of your confidence.

A New Direction for the South Leg

Senator Bible, as a result of the discussion with Senator Case on the Senate floor, asked Attorney General Nicholas deB. Katzenbach for an opinion. The question was whether Congress, in the Federal-Aid Highway Act of 1956, had given the District overall authorization to build its Interstate System without additional authorizations by the Senate and House District or Public Works Committees. [Eastman, Sam, "Justice Ruling Is Sought On D.C. Highway Work," *The Evening Star*, July 14, 1965]

In an editorial called "Unblocking Freeways" on July 17, *Star* editors expressed disappointment that the "clean-cut vote in the Senate" had not resolved the dispute on how the District commissioners should proceed. Senator Byrd advised them to "consider the language in the Senate report nullified" when submitting their FY 1967 budget. "The Commissioners should do precisely that," the editors said.

They did not think the "unexpected twist" of Senator Bible's request to the Attorney General would do any harm, but it also was not likely to help:

For if the Justice Department should rule against the financing procedures historically followed by the Commissioners, the most surprised people in the world will be members of Congress, who themselves have sanctioned these procedures for years.

The editors quoted Senator Tydings' comment that the report language was not "in any way" an attack on the highway system. They called the Senator's assertion "absurd," especially in view of Senator Case's comments about the South Leg.

They did not doubt Senator Case's sincerity, but suggested:

Indeed, if he can find the money and the means to assure better, more unobtrusive freeway designs, perhaps through national legislation which will not discriminate against the District, he will be doing this community a great service.

However, "the poor fellow obviously has no such definite solution in mind now – other than to keep the interstate system out of cities." He had every right to question city officials testifying before the Appropriations Committee, but "has not chosen to do so." Instead, he suggested that "*someone else* in Congress ought to assume that responsibility for Washington," a suggestion that Senators Bible and Randolph rejected on behalf of the only two other Senate committees with jurisdiction on the subject:

Nor is their reaction surprising. For if any serious move were made to impose on all the cities of the Nation the kind of restriction proposed against Washington in this instance, the roof would blow off the Capitol. ["Unblocking Freeways," *The Evening Star*, July 17, 1965; italics in original]

(After Congress adjourned for the year on October 23, George Lardner looked back on the first session of the 89th Congress from the highway point of view. As for Senator Bible's request to the Attorney General for an opinion on whether the District of Columbia had sufficient authority to build Interstate freeways without clearing each expenditure with the District Committees, Lardner wrote, "Justice has said nothing doing, according to a Committee spokesman. Apparently it doesn't want to get in the middle on this one." Senator Bible said:

I want to clear the air. Unless we resolve the question of authorization, it's going to keep coming up time and again. It could haunt us until 1972. ["Lardner, George, Jr., "City's Highway Builders Slow on Draw," Potomac Watch, *The Washington Post and Times Herald*, October 28, 1965])

The NPS planned to open bids on August 18, 1965, for a contractor to build the South Leg tunnel under the Lincoln Memorial grounds. However, on July 22, NPS announced that it would postpone construction indefinitely. The postponement followed a presentation by Nathaniel Owings to Interior Department officials on July 20. He recommended a new underground route for the South Leg that would bypass the Tidal Basin to the south along the route of Ohio Drive. It would connect with the Washington Channel Bridge and the Southwest Freeway. If adopted, this route would mean that the contract for the segment under the Lincoln Memorial grounds would have to be redesigned to swing the southern end of the tube toward Ohio Drive instead of Independence Avenue. According to the *Star*, Secretary Udall and other Federal and District officials had agreed to examine the feasibility of the route.

District highway officials began a study of the cost of the alternative. In addition, General Duke planned to meet with Senator Case in view of his concerns about the South Leg. [Morgan, Dan, "Lincoln Memorial Tunnel Delayed, Plans Restudied," *The Washington Post and Times Herald*, July 23, 1965; "Inner Loop Park Routing Under Study," *The Evening Star*, July 22, 1965]

As July neared an end, General Duke said he was awaiting a general plan that Owings would submit soon. He thought that Owings was now considering a surface routing along Ohio Drive rather than a tunnel. District highway officials would develop a cost estimate. He estimated the review would delay construction by at least 6 months.

District officials announced an unexpected complication on July 28. The delay in tunnel construction under the Lincoln Memorial grounds would delay completion of the Potomac Interceptor Sewer linking Dulles International Airport with the sewage treatment plant at Blue Plains in the District's southeast quadrant near I-295 along the Potomac River close to the city's southern border with Prince George's County, Maryland. The interceptor was part of the plan to clean the polluted Potomac River. A portion of the sewer main was included in plans for the Lincoln Memorial grounds tunnel. Moreover, the Department of Sanitary Engineering had recently built a sewer link to Blue Plains along the Ohio Drive segment that was now targeted for a possible South Leg route. ["Delay on Lincoln Tunnel Perils D.C. Sewer Link," *The Evening Star*, July 29, 1965]

On July 30, the *Star* printed a letter from Senator Case responding to the editorial "Unblocking Freeways." He said that "attempts to belittle and name-calling only confuse the issue." That issue was whether the Interstate System and other federally aided highway programs "shall be allowed to destroy our great cities, including the city of Washington." The "immediate concern" was the South Leg routing through Potomac Park that would cover "100 precious acres of the park with concrete." He recalled the comment that the plan would leave the Jefferson Memorial "looking like a lump of sugar in a can of worms," without citing its source in the *Post*. He concluded: "Does The Star approve of the plans for this segment of the interstate highway system in the District?"

The editors replied in the same issue: "The Star does, in fact, favor this plan and has said so editorially." They responded point-by-point to his concerns:

- (1) The plan in question would not cover 100 precious acres of the park (West Potomac Park) with concrete." It would add only 2.5 acres of concrete to what is already there.
- (2) The freeway link proposed would not rise in a confusion of ramps to the 14th Street Bridge. It would rise to the surface east of the Tidal Basin and underpass 14th Street with no connecting ramps.
- (3) It would not leave the Jefferson Memorial "looking like a lump of sugar in a can of worms." Rather, it would eliminate one of the ramps already in the Jefferson Memorial area and would pass well to the east of the memorial.

The plan was the "product of years of give and take" among NPS, BPR, NCPC, and District highway officials.

Had the Senator asked for the editors' view on the Owings plan, "our answer would be an emphatic no." The cost of an underground route in the Ohio Drive corridor, roughly estimated at \$100 million "would never be supported by Congress." The underground plan also would conflict with the Potomac Interceptor Sewer in the same corridor. If, as rumored, Owings changed his plan to a ground-level facility in the Ohio Drive corridor, "the project will have

come full circle and be right back where it was in 1956, when early plans for the South Leg—which located it along Ohio Drive on the surface—were abandoned after strenuous objections by the Planning Commission, the Park Service and the Ohio delegation to Congress that it would have an objectionable impact on the Jefferson Memorial and would obliterate the State’s namesake, Ohio Drive.

The only effect of the Owings proposal was “to delay matters further, require more reviews of a project that already has been reviewed repeatedly and provid [sic] anti-freeway obstructionists with yet another excuse for foot-dragging.” The editors recommended shelving the Owings plan and building the South Leg as planned. [Case, Senator Clifford P, “Freeway Cuts a Swath,” “Senator Case and the Loop,” “Tunnel Plan Hazards Cited,” *The Evening Star*, July 30, 1965]

During the last week of July, Senator Case met with General Duke and city officials about freeway planning in the District and the loss of parkland. They agreed to explore the possibility of using highway funds to replace park and playground land lost to the right-of-way for new roads. The question was whether the District had the authority under current law to provide replacement land or would need new legislation to do so. [“Funds Sought To Replace Park Lands,” *The Washington Post and Times Herald*, July 30, 1965]

On August 2, Senator Case took his concerns to the Senate floor to insert prepared remarks into the record. He inserted articles from two Washington newspapers about “the destructive aspects of our federally aided highway building program in its present form.” A July 28 article in the *Washington Daily News* discussed California’s plan to build a section of U.S. 199 through the redwood trees in Jedediah Smith State Park. He also cited a July 28 article in the *Post* by George Lardner, Jr., on the theme that, “Tunnels are getting cheaper all the time.” Despite concerns by highway builders about the cost and ventilation of urban tunnels, Lardner reported on a study by George Hoffman of the Rand Corporation concluding that “cost differences between tunnels and new urban roads may be indistinguishable before the end of this century.” Although Lardner commented that it might be “too early to take advantage of the trend” in Washington, he suggested that in view of continuing protests, “it would seem just as well to dig a trench and cover it over with new buildings.”

As for cost, Senator Case also reprinted a July 10 article from *The New York Times* about a decision to build a portion of the Delaware Expressway (I-95) in Philadelphia below ground “to avoid obstructing the view of the river from the residential areas beyond it.” BPR had agreed to cover the cost on a 90-10 basis.

Senator Case said that he had been critical of plans for the South Leg that would cover “acres of precious parkland” with concrete. “Fortunately, this plan has now been put into cold storage while new proposals are studied.” However, the threat in the District to “this world-famous memorial area” was “not unique.” Congress must reconsider the national highway program. “In building roads, are we not destroying other, also important, values?” This was not an “either, or” issue. “But we must make up our minds that we want both and that we will pay for both.”

Several things could be done to “avoid blight, prevent the loss of real estate values and tax revenue and preserve or enhance the beauty and livability of our cities.” Designs and alignments

could be improved. Greater coordination between highway planners and community development officials was needed. In addition, Congress should “establish the principle that in all cases where any parkland is taken for highway use, full compensation in kind must be made.” [The Nation’s Highway Building Program, *Congressional Record-Senate*, August 2, 1965, pages 19012-19013]

By mid-August, District highway officials had developed an idea that involved modifying the Independence Avenue plan for the South Leg. Between the tunnels at the Lincoln Memorial grounds and the Tidal Basin, the freeway would be built in an open cut that would preserve scenic views in the area. After leaving the east end of the Tidal Basin tunnel, the South Leg would continue in an open cut under the 14th Street Bridge approaches to connect with the Southwest Freeway. NPS could cover the depressed freeway in part or whole for park needs.

General Duke said the plan was considerably less expensive than the Owings proposal, which at more than \$100 million was about three times the cost of the original tunnel-and-surface freeway proposal. The new District plan would add only about \$15 million to the original estimate. If adopted, the plan would avoid costly delays and prevent conflicts with the city’s sewer system that was linked to the tunnel under the Lincoln Memorial grounds. The city planned to present the plan to NPS and BPR officials who had not yet reviewed it. [“D.C. Considers Sinking Of South Freeway Leg,” *The Sunday Star*, August 15, 1965]

Another New Plan for the South Leg

On August 25, the *Star* and *Post* reported that Federal and District officials were considering a compromise plan developed by the Alabama consulting firm of Palmer and Baker. As the *Post* explained, the “middle of the road” plan proposed a “beeline tunnel” that “would roughly bisect the triangular wedge bounded by Independence Avenue, the Potomac River and the 14th Street underpass.” In this new location, the South Leg would tunnel across the center of the Tidal Basin. “Its west portal would be north of the Lincoln Memorial and its east portal near the Tidal Basin at 14th Street.” It would cost about \$58 million, compared with \$34 million for the original Independence Avenue plan and over \$100 million for the Owings plan. (Palmer and Baker estimated the cost of the new plan to be \$53 million, but District highway analysts raised the cost to \$58 million.)

General Duke was “very interested” in advancing the plan as quickly as possible, in part because it would allow construction of the interceptor sewer line. He and Airis acknowledged that the one disadvantage of the plan was that it did not provide access from the South Leg to Independence Avenue. Airis said the city wanted to encourage motorists bound for the northwest quadrant to stay on local roads until points west of the 14th Street interchange, a particular problem for people on the Southwest Expressway. [Morgan, Dan, “Tunnel Compromise Proposed,” *The Washington Post and Times Herald*, August 25, 1965; Pierce, Charles D., “Compromise Proposed On Route of Tunnel,” *The Evening Star*, August 25, 1965]

During a press conference, Secretary Udall threw his support behind the new plan. “We’re going to argue very strenuously” for the plan, he said. It would “get rid of highway dominance” around the Tidal Basin and “leave a large part of our great national Mall—some of the most priceless

land in the whole country—free for future development.” Further, it was “the cheapest of all the proposals if land costs are considered” and “fits in” with Lady Bird Johnson’s beautification program for the National Mall. (Land costs were virtually impossible to calculate because all alternatives involved land owned by the Federal Government.)

Secretary Udall stated that he had changed his mind about the Owings plan. He said of the Owings plan that, “It is so much more costly we are convinced we could not hold out for it.” Moreover, the new plan “brings us . . . and the District Government much closer in agreement.” The Ohio Drive alternative was no longer under consideration.

He was optimistic about the new plan, saying the project “can go right ahead.” The Department of the Interior planned to take the proposal to NCPC and the Commission of Fine Arts, adding, “and then maybe we can get the Federal Bureau of Public Roads to go along with it.”

City officials were pleased about the agreement, but Engineer Commissioner Duke was not completely satisfied because of the lack of a link with Independence Avenue. “We want to take care of the people in Southwest Washington.” He preferred the original, two-tunnel plan, but the South Leg “is located entirely on federal property, is being financed by the federal government and is primarily a federal project.” As a result, he could live with it. “I’m not going to pick a fight with Secretary Udall.” [“Interior Would Put Tunnel Under Tidal Basin,” *The Washington Post and Times Herald*, August 29, 1965; Hornig, Roberta, “Lincoln Memorial Tunnel For Inner Loop Is Backed,” *The Evening Star*, August 29, 1965; Morgan, Dan, “Duke’s Road Plans Roughed-Up,” News Analysis, *The Washington Post and Times Herald*, September 1, 1965]

The *Star*’s editors also were pleased that Secretary Udall dismissed the Owings plan:

At his news conference the other day, the Secretary abandoned, once and for all, we hope, the silly idea of building such a tunnel along the Potomac River beneath Ohio drive. This circuitous, exorbitantly expensive route, advanced by architect Nathaniel Owings, had no merit whatever, and would never have been built.

The editors were not entirely happy with the new all-underground plan, especially compared with the prior two-tunnel plan that the editors called “the eminently sound result of years of negotiation.” Instead, Secretary Udall’s endorsement of the new plan “may needlessly prolong a controversy everyone had thought was settled.” The plan, with its absence of a link with Independence Avenue, would “require substantial changes.” It also was more expensive than the two-tunnel plan. “Where would the additional money come from?” Perhaps, the editors suggested, “Mr. Udall—and Senator Case of New Jersey, who harbors similar sentiments—might be able to arrange for some other source of funds” than revenue from the Highway Trust Fund.

Another “disturbing aspect” of Secretary Udall’s support involved readiness for construction. He had said officials “can go right ahead” but his staff “suggested that uncertainty about the routing of the connecting freeway might delay the letting of construction contracts—perhaps for a substantial time.” The editors hoped the Secretary “meant what he said” and that any uncertainty

within his own department, the source of so much delay in highway and bridge construction, “will be promptly cleared up.” [“Tunnel Trouble,” *The Evening Star*, September 1, 1965]

As the Interior Department planned a presentation to NCPC on the new plan, Secretary Udall said he would personally state the case. His appearance before NCPC would be “unprecedented” because no one could recall a Cabinet-level official appearing before the commission.

In the meantime, the plan was being revised to provide the missing link for Independence Avenue traffic via loops at 14th Street. Lee Flor explained the problem with this concept:

However, it apparently would result in some complicated changes in the 14th Street roadway, and the loops would need some additional right-of-way.

Also, traffic from Independence Avenue SW would have to make a left turn across traffic at 14th Street, and then another right turn across opposing traffic flow to reach the freeway.

From the Interior Department’s standpoint, one advantage was that the new plan “would permit the present Independence Avenue right-of-way to revert to parkland.” It would equal 9.7 acres of additional parkland:

Udall said recently that a total of 37.3 acres of Potomac Park parkland land had been paved over for approaches to the Theodore Roosevelt, Washington Channel and 14th Street bridges. Udall apparently wants to get some highway land back for park use.

The proposal was still under study and might need additional adjustments.

(Flor also reported that NPS consultant John Clarkeson had submitted a preliminary report saying the Three Sisters Bridge was not justified based on the District’s traffic projections. NPS Director George R. Hartzog, Jr., who had succeeded Wirth as NPS Director in January 1964, did not release the preliminary report, which was subject to change.) [Flor, Lee, “Udall to Tell Board Of South Leg Plan,” *The Sunday Star*, September 5, 1965]

On September 9, Secretary Udall was called to the Capitol unexpectedly and was unable to make his planned presentation to NCPC. Director Hartzog, who took his place, described the proposal and acknowledged that the earlier two-tunnel plan had been approved with White House encouragement. In comparing prices, Hartzog argued that roadbuilders should forget the idea that they did not have to pay for parkland used for highways. He explained that NPS calculated the value of parkland at \$1.74 per acre based on the cost of land purchased for the performing arts center to the north. The two-tunnel plan was projected to cost about \$40 million, but the true cost was \$53 million when the value of lost parkland was included. The Udall-approved all-tunnel concept would cost \$58 million. However, it would permit NPS to close several service highways and return them to parkland. By subtracting the value of the new parkland, Hartzog told NCPC the estimated cost would be reduced to \$41 million. (Owings also made a detailed presentation to NCPC, emphasizing the parkland gain.)

Hartzog offered a motion to endorse the tunnel concept, at NPS parkland valuation, with BPR Administrator Whitton seconding the motion. Whitton, whose agency would have to pay for the plan, was “a bit skittish” about his action, according to the *Post*:

“I’m not committing the Bureau of Public Roads on a certain right of way for a certain type of job,” he said, adding, “We would have a hard time doing this here and not having San Francisco and New York and New Orleans doing the same sort of thing.”

Commission Chairman Elizabeth Rowe replied that Washington “is the place to set precedents.”

“I think so, too,” responded Whitton. “If we can afford them.”

There have been proposals to bury freeways in all the cities mentioned by Whitton, whose agency would have a final say on their approval.

Whitton was unwilling to commit to the NPS valuation of parkland at \$1.74 million an acre, but staff would have to work out the final value.

Lardner, in his Potomac Watch column, added one point that came up during the meeting. NCPC approved the idea of building as much of the South Leg in a tunnel as possible. “It was a good move,” especially since Hartzog said he did not think working out the traffic connections would be too difficult:

But it’s difficult to understand why it’s taken so many years to get even this far. The Park Service’s solution is somewhat dimmed by the long silence that preceded its discovery. “It seems to me,” said Commission Member Paul Thiry, who shuttles from Seattle for NCPC meetings, “that this should have come up a long time ago.”

Lardner also printed a plea from Whitton. “I just hate for us to continue to try to solve pieces of this traffic problem in Washington. Let’s look at it all now.” Lardner added:

The plea got lost in the shuffle. Few even seemed to be listening.

The *Post* characterized NCPC support for the proposal as “strong—but highly tentative.” Flor said that the Udall-supported plan “was boosted today by a planning agency decision to fix a cash value for parkland taken for the highway.” [Flor, Lee, “Price to be Computed On Freeway Alternate,” *The Evening Star*, September 9, 1965; “Tunnel Wins Tentative Approval,” *The Washington Post and Times Herald*, September 10, 1965; Lardner, George, Jr., “NCPC Picks Up Right Where It Left Off,” Potomac Watch, *The Washington Post and Times Herald*, September 16, 1965]

On September 14, Secretary Udall attended a meeting of the Commission of Fine Arts to present the all-tunnel plan for the South Leg. The commission gave its “strong endorsement” to the plan, with Chairman Walton saying:

Adding nearly ten acres to the Nation's most cherished and valuable monumental park is well worth the \$18 million extra cost of the Park Service plan. It's only a small proportion of the over-all cost of the Inner Loop system.

The plan, in short, "is a great way to save park land and to preserve the appearance of this important area." [Von Eckardt, Wolf, "Fine Arts Board Backs Tunnel for Tidal Basin," *The Washington Post and Times Herald*, September 16, 1965; "Fine Arts Group Favors South Leg Tunnel Plan," *The Evening Star*, September 16, 1965]

Lardner, in his Potomac Watch column, reported that Whitton and Hartzog had been discussing District highway plans informally for several months. They had begun talking during a flight from St. Louis. Whitton said he was ready "to start trading," and Hartzog agreed with the sentiment. Back in Washington, Hartzog told his colleagues, "We haven't had a highway commissioner in years who's been willing to work with us like this." Whitton wanted to get the entire Interstate network underway, while Hartzog wanted to keep as much of it as possible off parkland. [Lardner, George, Jr., "It's Time for Decisions on Highway Program," Potomac Watch, *The Washington Post and Times Herald*, November 17, 1965]

Secretary Udall wrote to members of the Policy Advisory Committee asking them to get together to discuss issues such as the South Leg and Three Sisters Bridge. Walter I. Pozen, Assistant to the Secretary, told reporters about the motivation for the invitation:

We detect a new sense of urgency and a new sense of cooperation on some of the things that have troubled us. It will be an opportunity to see how far we can go in settling these matters.

The agenda for the meeting was uncertain but as Fine Arts Chairman Walton put it, "We only meet when something's cooking. I would bet they'll back a bridge." The Policy Advisory Committee, as noted earlier, had voted in favor of a bridge upstream, with Director Hartzog and Chairman Rowe opposing it. The *Post* explained:

The victory turned out to be only a paper triumph for bridge backers since Mrs. Rowe has since declined to put the bridge question on the Planning Commission's agenda.

In letters to committee members, Hartzog suggested meeting on September 29. [Dimond, Thomas F., "Meeting on South Leg And Bridge Is Called," *The Evening Star*, September 17, 1965; Morgan, Dan, "Udall Acts In Freeway Deadlock," *The Washington Post and Times Herald*, September 17, 1965]

Star editors were encouraged by the developments. Referring to Pozen's comment about "a new spirit of cooperation," the editors wrote, "We do not know what sort of cosmic rays may be responsible for this sudden flash of illumination." Whatever the cause, "it is welcome."

The meeting, the editors hoped, would help resolve the South Leg issues and the location of the new Potomac River bridge:

They are difficult chiefly because their solutions, in order to protect federal parks, require imaginative planning—and amounts of money—beyond those customarily used in road building.

Additional studies were not needed. “The technicians on the agency staffs have kicked the possibilities around long enough.” Now was the time “for decisions by the top-echelon officials with the power to make them.” The urgency of the need for solutions was not new, but with the “new spirit of cooperation,” perhaps “the differences can be resolved.” [“New Spirit?” *The Evening Star*, September 21, 1965]

The suggested meeting took place on October 14 behind closed doors, with Chairman Rowe, Director Hartzog, Administrator Whitton, Engineer Commissioner Duke, Chairman Walton, and Nathaniel Owings in attendance. After the 3-hour meeting, the participants refused to comment on the discussion or outcome.

Using his sources, Lardner reported:

The first get-together at the District Building, suggested by Secretary of the Interior Stewart L. Udall, was purely exploratory, it seems. It covered, participants say, the entire interstate program for the city in a general way. Park Service did most of the talking but no agreements were reached.

The informal committee is scheduled to get together again on Nov. 23.

Lardner commented:

But the chronic failure to make decisions that stick is starting to pinch, not only on city highway officials, but at the Planning Commission where the 1985 plan for Washington is far behind the original schedule.

If Whitton and Hartzog are ready to start trading, there's no reason why the others can't, too. Highway officials should be required to come up with imaginative designs. But at the same time they're entitled to decisions on what they propose to build. Waiting much longer is only likely to produce a last-minute spate of rush jobs that no one can admire. [Lardner, George, Jr., “It's Time for Decisions on Highway Program,” *Potomac Watch*, *The Washington Post and Times Herald*, November 17, 1965]

Director Airis was not in doubt about who was delaying resolution of the impasses across the city, particularly the Inner Loop: “professional lobbyists – from esthetes who are concerned about the visual impact of these works on the city – and from worried residents, small businessmen and homeowners who are justifiably concerned over the effect of a specific project.” In a November 16 speech to the Washington Metropolitan Highway Users Conference and afterwards in talking with reporters, he declined to identify the “professional lobbyists.” However, he singled out NCPC for “debating too long.” It had failed to consider the Potomac River crossing or the Potomac River Freeway despite his department's encouragement. The overall result was that the city had completed only 8 of its 29 miles of Interstate freeways.

His audience also was to blame because highway users had “grown complacent, old and prosperous and no longer have the stomach needed for the battle to bring about the public improvements”

If the logjam could not be broken, the city might have to address the growing congestion by “artificial restrictions” on driving between Maryland and the District. This idea was not under active consideration, but was “an eventual possibility if we don’t get the interstate system.” For example, the city might change traffic signals to increase waits by commuters, limit downtown parking, or earmark more streets for one-way or reverse-flow traffic. He was not sure about the District’s legal authority to restrict Maryland traffic, but the city would “do whatever we could legally” if it reached that point. Because the impasse mainly affected traffic from Maryland, he did not expect to try to limit traffic from Virginia. [“Airis Assails Planners on Roads Delay,” *The Evening Star*, November 17, 1965; “Highway Director Sees Possibility Of Curbs on Washington Auto Traffic,” *The Washington Post and Times Herald*, November 17, 1965]

On December 5, 1965, *The Sunday Star* carried a lengthy editorial titled “Let’s Finish These Freeways to Nowhere.” It stated:

The five federal and District officials who have the power, among them, to resolve the entire mess, have been meeting secretly for some weeks, presumably seeking a compromise. They have talked, however, long enough. What the community needs now is decisions.

After describing how the George Washington Memorial Parkway on the Maryland side ends a few hundred yards of mud from Canal Road near the Maryland-District line (“Chain Bridge is clearly visible on the right”), the editors stated:

The fact is that all over town there are roads, or little parts of roads, which lead to bottlenecks—or, like the Maryland parkway, to nowhere at all.

All the roads were intended to be part of “an efficient, modern regional freeway system, painstakingly devised by highway and city planners over many years.” Today, however, “development of that system has come to an almost complete halt”:

Yet the freeway impasse drags interminably on, embroiled in one of those senseless bureaucratic controversies endemic to the Nation’s Capital.

The Inner Loop was the “crux of the dispute.” First, it would help people get to and from their downtown destinations “quickly and easily.” Second, it would pull thousands of vehicles off local roads:

But there is also a third great purpose to the inner loop. It serves as the vital connecting link among free-moving highways throughout the metropolitan area. Without it, the north-central freeway which Maryland and the District propose to build between Silver Spring and the central city cannot possibly function. To the west, the inner loop’s north leg ties the half-built Potomac River Expressway into the total system. That expressway, in turn, will connect to the new Potomac Bridge [sic] above Rosslyn, which is so essential

to the free movement of traffic from Virginia. Beyond that point, the expressway provided the connection, ultimately, to the George Washington Parkway—assuming the parkway ever gets past Chain Bridge.

Ironically, most of the top-level officials involved in the controversy recognize the valid concept of the loop. But the trouble is that each of them has fish of his own to fry.

That was why Secretary Udall and the NPS wanted the entire South Leg buried. Meanwhile, Chairman Rowe objected “most heartily” to the North Leg “because of its disruptive impact on Northwest neighborhoods.”

Alternatives must be found, including another route for the North Leg and the funds to pay for Secretary Udall’s tunnel. But if these officials cannot find answers, “President Johnson should break the stalemate personally, with a directed solution, as Presidents more than once have been forced to do in our past highway controversies.” If Washington was to be the “model city” he wanted, “completing the freeway design is every bit as important as beautification and the rest.” Automobiles, in short, were here to stay. “If we do not take effective steps to cope with them, it will be very difficult for the city to cope with any of tomorrow’s problems.”

Breakthrough on the North Leg

Those secret meetings the editors mentioned led to a breakthrough of sorts from Chairman Rowe. On December 21, Engineer Commissioner Duke and Director Airis held a press conference to announce that the District was going to study Rowe’s suggestion of tunneling a six-lane, 23-block section of the North Leg under K Street, NW. As Flor explained:

As planned so far, the North Leg freeway would run from K and 27th Streets NW, generally along a line along Florida Avenue, to connect with two other freeways north of Union Station.

The tunnel alternative would connect with Whitehurst Freeway on a direct line instead of the roundabout route through residential areas in the previous plan. The path roughly along Florida Avenue would become a wide boulevard for local traffic.

Under Rowe’s proposal, the K Street tunnel would reach as far as 3rd Street at a point where vehicles could connect with the Center Leg. It might later be extended to Union Station to link with the North-Central Freeway.

The Rowe proposal also called for construction of a wide boulevard for local traffic along Florida Avenue, NW., where the North Leg Freeway had been planned for extensive tunneling under the Policy Advisory Committee agreement.

General Duke said, “Nobody’s saying this will be the final version” of the North Leg, but it would eliminate problems that had delayed construction through northwest. It also would solve one of the problems delaying the new Potomac River crossing. Trucks using the bridge under the earlier plan would travel through residential and hotel areas adjacent to the North Leg. Under the new plan, trucks would use Whitehurst Freeway and the K Street Tunnel/North Leg.

The plan to be studied involved using cut-and-cover construction that would require complete reconstruction of K Street. Because K Street was 147 feet wide, the project would involve mainly land owned by the city.

The District planned to negotiate with several engineering firms for the study. Airis told reporters he thought the study would take about 6 weeks and could be presented to the Policy Advisory Committee during its February meeting. [Flor, Lee, "Freeway Tunnel Studied by D.C.," *The Evening Star*, December 22, 1965; Morgan, Dan, "Tunneling Freeway Under K St. Studied," *The Washington Post and Times Herald*, December 22, 1965]

The *Star* editors saw this move as a breakthrough:

At a series of secret, informal meetings during the last several months . . . the half-dozen federal and District officials with the authority to make decisions on all aspects of the freeway network have been trying to reach agreement on a single package of proposals which would permit the entire program to proceed.

The most interesting aspect of the idea was that it came from Chairman Rowe, "who previously has blocked any east-west freeway north of the shopping district" and "also has halted progress on every other crucial element of the freeway system in the western part of the city, including Maryland's George Washington Memorial Parkway and a new Potomac River bridge in the Rosslyn area."

The editors saw merit in the new idea:

It would preserve intact the essential concept of a continuous inner-loop freeway system around the downtown shopping area. Indeed, its connection with the maze of freeways in the Georgetown-Foggy Bottom area would provide a shorter, more direct route to the east than the alternative road locations, swinging northward to Florida Avenue, which city highway officials have previously supported.

Highway officials had their doubts:

To be sure, there are a number of questions as to the feasibility and cost of the K-Street project which still require answers. The inconvenience and disruption along K Street, during construction would be enormous The Highway Department contends the new proposal would be less efficient than the original route in terms of the city's total traffic-distribution plan. It is keeping its fingers crossed on this point until consultant studies now under way are finished next February.

The idea needed study, but might prove helpful "provided Mrs. Rowe and everyone else understands that it is only one part of a package of agreements which will break the whole freeway stalemate." Piecemeal solutions were not enough. "The time has come now for agreement on the entire program." ["Freeway Breakthrough," *The Evening Star*, December 24, 1965]

In the Potomac Watch column, Lardner saw the District Highway Department as “getting ready to stick out its neck—again.” Several studies were due in early 1965:

Nearing completion are studies for the East Leg of the Inner Loop by the engineering firm of DeLeuw, Cather & Co., the Central Section of the North Leg by Vogt Ivers & Associates, and, most controversial of all, what is by itself commonly called the North Leg (the North Leg, West Section really) by Edwards & Kelcey.

All should be ready by springtime.

Now, however, the District had asked Edwards and Kelcey “for a quick study” of NCPC Chairman Rowe’s K Street tunneling proposal. In line with the Policy Advisory Committee’s unanimous agreement calling for “maximum consideration to the concept of tunneling” for the North Leg, the consultant had been doing just that in the study that began in July 1964 at a cost of \$175,000. Airis indicated that the study, which was to be completed in 1965, was taking longer than expected to identify alternatives that met the tunnel requirement. Lardner wrote:

Before Mrs. Rowe’s proposal came up, Edwards & Kelcey had narrowed 20 alternates for the North Leg to two routes. Each will continue to be studied, [District planner] Grant says, as a bored tunnel, a cut-and-cover tunnel, an open-air depressed roadway over which air rights buildings could be put up—and various combinations of the three possibilities. Now Mrs. Rowe’s suggestion will be added to the study.

According to Grant, all the studies would be released around the same time; no one could say the city was holding back. District highway officials hoped the Policy Advisory Committee, at its February 1966 meeting, would decide how to proceed on at least some of the projects.

Lardner said, “It promises to be a donnybrook, but City Highway Director Thomas F. Airis has the chiding advice of New York’s Robert Moses firmly in mind”:

“Cooperation of local officials, urban, suburban and exurban, on main arteries is almost impossible to attain without prolonged controversy,” Moses reminded State highway officials, who probably need no reminding of that, at their convention this fall.

The critics win, Moses said, when they are confronted by “highway men and other transportation and traffic engineers who lack courage when they can’t depend on support, who have no thirst for martyrdom, who shun ulcers and coronaries or, to use a different metaphor, won’t stick their necks out as they await their pensions.” Lardner wrote that, “No one will be able to accuse Airis of that, especially after next year.” [Lardner, George, Jr., “Highway Dept. Sticks Neck Out Again,” Potomac Watch, *The Washington Post and Times Herald*, December 23, 1965]

NCTA Prepares for 1965

With enactment of the Urban Mass Transportation Act of 1964 on July 9, 1964, Congress no longer had to consider the national program that had loomed in the background of the rail rapid transit legislation for the Washington area in 1963. With that landmark bill approved, the White

House had assured NCTA that 1965 would be the year for the Washington area's rail rapid transit bill to be submitted to Congress.

Stolzenbach, who had been trying to keep NCTA out of the freeway controversies since the House had recommitted the bobtail bill to committee in December 1963, was readying the bill with the outreach and cooperation that officials had claimed was absent in earlier years. However, as Professor Schrag discussed, Stolzenbach and NTCA were in trouble at the White House by mid-1964:

Even a neutered Stolzenbach had no place at the agency. His stock at the White House had dropped in late June 1964, when civil service inspectors found that, in addition to suffering "uncertain assignments, low productivity, depressed morale, and weak supervision," half of NCTA employees had been incorrectly graded, resulting in their being overpaid relative to counterparts elsewhere in government. Seizing the excuse to get rid of a troublemaker, the White House asked for Stolzenbach's resignation, which he submitted three weeks later, effective 15 August.

As Horsky searched for a replacement, Deputy Administrator Quenstedt declined the promotion and recommended against other NCTA officials because, he said, an outsider was needed:

After some months, Horsky began to think that it might be best to keep Stolzenbach until Congress authorized a system. [Schrag, page 60]

As a result, Stolzenbach, despite his resignation, remained NCTA Administrator well into 1965.

Labor was one of the main issues NCTA had to consider. As Jack Eisen recalled in June 1964:

During the period before the Washington Subway bill was debated by the House last December, members' offices were flooded with pleas from unions around the country to defeat the pending bill.

With relatively few members on the floor, the labor demands was defeated [sic] before the subway bill itself was rejected.

Members of the House District Committee privately have made it clear that they do not want to be involved in labor legislation that could set a national precedent.

What prompted Eisen's recollection was a statement by Walter J. Bierwagen, international vice president of the Washington-based Amalgamated Transit Union, that, "we will do everything within our power" to defeat the area's rail rapid transit bill unless it included labor safeguards. The union supported the rail system, but he said, "Plans must be made and put into effect before the problems get out of hand and solutions become more difficult—and costly."

His demands included assurance that bus drivers displaced or transferred to rapid transit operations would retain collective bargaining rights, arbitration of disputes, seniority, wages and welfare programs, and protection against job loss. All workers also must be protected if automation eliminated their jobs. Further, current pension plans must not be impaired, as some

cities were trying to do when they took over bus operations from failing private companies. [Eisen, Jack, "Labor Safeguards Seen Must in Rail Transit Bill," *The Washington Post and Times Herald*, June 2, 1964]

Area officials and groups did what they could to promote rail rapid transit. Four local organizations formed a joint committee to promote the Washington subway (Board of Trade, Board of Realtors, Downtown Progress, and Federal City Council). The committee supported completing the freeway system and the rapid transit system. Meanwhile, Representative Sickles appointed a committee of the JTC to coordinate with NCTA. He wanted to ensure that the negotiating team developing an interstate pact to operate the rail system knew of NCTA's progress in case adjustments in the pact were needed. The committee also would monitor events in Congress to see if it considered precluding a three-State operating compact. ["Business Units Fear Second Freeway War," *The Washington Post and Times Herald*, June 2, 1964; "Joint Transit Steering Group Is Appointed," *The Evening Star*, July 18, 1964]

In October, the Federal City Council announced on behalf of the four-member joint committee that completion of the Capital Beltway increased the urgency of building a rail rapid transit system in the area. The beltway would aggravate urban sprawl, but soon would become overcrowded as development exceeded facilities, including freeways. "The opportunity to create an exemplary, modern, efficient urban center for the Nation's Capital will have been lost." The committee called on NCTA to submit a bill to Congress for a \$400 million publicly owned, privately operated rail transit system. The plan, the committee suggested, would be similar to the bobtail plan, but would include a downtown subway loop. [Schuette, Paul A., "Rapid Transit Rail Urged by Policy Group," *The Washington Post and Times Herald*, October 1, 1964]

Monorail advocates had not abandoned hope of cracking the District market. In an October 6 speech to the Northern Virginia Builders Association, Representative Broyhill said he wanted NCTA to reconsider monorail as the solution to the area's rail rapid transit needs. He had been working with the American Machine and Foundry Company (AMF), which set up a shop in Alexandria, part of Representative Broyhill's district, on August 1 to promote its concepts. Representative Broyhill suggested construction of a monorail demonstration in three northern Virginia corridors to demonstrate the economic and construction speed of the technology. The three corridors were:

- Seven Corners to the Pentagon, 5.9 miles, five stations, running time of 9 minutes - \$25 million;
- Bailey's Crossroads to the Pentagon, 4.5 miles, five stations, 8 minutes, \$20.7 million;
- Springfield to the Pentagon, 9 miles, eight stations, 15 minutes, 3 seconds, \$37.6 million.

None of the routes, Representative Broyhill said, would conflict with NCTA's most recent plans for its surface-and-subway system. According to the Congressman, AMF could build up to 6 miles of suspended monorail for the cost of one subway mile.

Colonel Ben Elliott, AMF's area representative, told reporters the costs were "ballpark figures," but he added that monorail and surface rail costs were comparable. A monorail would be "more pleasing esthetically" than surface rail. He said that after Representative Broyhill had

approached AMF about its concepts, the company decided to set up shop in northern Virginia. “We recognized the importance of acquainting the various agencies in the Nation’s Capital with this approach as a solution to mass transportation problems here and throughout the country.”

A NCTA spokesman told reporters the agency would consider the AMF concept, as it had other monorail proposals, but thus far had found all of them unsuitable. Further, overhead monorail had been ruled out for downtown Washington. [“Broyhill Urges Monorail Try,” *The Washington Post and Times Herald*, October 7, 1964; Lardner, George, Jr., “Firm Sets Out to Sell Monorail Here,” *The Washington Post and Times Herald*, October 15, 1964]

Bus advocates had not given up, with BPR becoming one of the advocates. During an April 23 speech on “Transit and Federal Highways” to The Engineers Club in St. Louis, BPR Planning Director E. H. “Ted” Holmes had spelled out the agency’s ideas on adapting roads and especially freeways to encourage bus rapid transit. Holmes began by emphasizing that the title of his speech included the word “and,” not “vs.” Too often, he said, “the highway engineer or administrator is cast in the role of a competitor,” with the transit advocate not an advocate of transit, but of a “particular form of transit,” namely subways:

So right at the beginning it should be made clear that in this discussion transit will be considered in its broad and general sense. Since over three-quarters of transit patrons in the United States ride on rubber tires, not on steel rails, transit has to be for highways, not against them. And vice versa, highways have to be for transit, not against it, for the more that travelers patronize transit the easier will be the highway engineer’s job.

Highways and transit may now compete, but they have different goals:

The highway engineer in building a street or highway is providing for transportation, either public or private. To him transportation is not an end but a means—a means of serving the user and also of serving and helping shape the community.

Transit served the community as well, but if a private company provides transit, the goal also is to make a profit. For publicly owned transit service, the goal is “to come as near as possible to breaking even” from the farebox. In that respect, highways and transit compete because if good roads prompt people to leave transit for private automobiles, the loss is felt at the farebox by transit operators who have fixed costs and routes, regardless of how many people the service carries.

In discussing myths and misconceptions that distorted debates, Holmes said that freeways did not cause downtown congestion. Downtowns are, indeed, congested, but they always have been. “Chariots caused congestion on the streets of Rome.” Large cities throughout history, including in the 20th century, had experienced congestion as populations overwhelmed streets, regardless of the type of vehicles using them. On the positive side, the “freeway makes the downtown area more accessible to more people from a larger area.” In short:

Freeways will not kill the downtown area. Rather they may be the means of preserving it.

Myths aside, Holmes said the Federal Government, the Department of Commerce, and BPR are for transit. “I am for transit personally because I am a regular user, which is more than some of its strongest advocates can say.” (Holmes commuted by bus from his home at 4814 DeRussey Parkway in Chevy Chase, Maryland.) Highway engineers had been on the defensive too long because of their alleged opposition to transit:

Highway officials must, and I believe do, view transit not as a competitor but as a mode of transport complementary to private transportation. And to place it in its proper perspective it must be considered on a field of neutrality, not in a no-man’s land, if any recall that term from World War I.

Downtown was still the most important destination in a metropolitan area, and it also was the area best served by transit:

But the great mass of travel, up to 95 percent in the largest cities, is wholly outside that area [and] involves the almost countless prosaic trips from home to the store, to take the children to school, to call on friends, to go to work, or move about in earning a living.

These were the trips “that transit cannot easily serve and [that] are almost wholly dependent on the private vehicle or taxi.”

The freeway can support transit:

Only limited use is being made of the freeway as an aid to transit operation, however, in part at least because of the fact that in few cities are the freeway systems yet nearly enough complete to permit suitable experiments in their use by transit vehicles.

Freeway medians may be suitable for rail rapid transit in some locations. “But that is hardly reason for the assertion frequently heard that every freeway should provide for a rail line in its median. More often that is exactly the wrong place for a rail line.” Holmes explained that, “The most likely use of freeways by transit is by buses” and that presumably would be “in some form of express service.”

Holmes described an American Transit Association report surveying expressway bus operations, saying:

The theme of these operators’ comments . . . as well as common sense reasoning, points to effective bus operation as requiring free and rapid movement not generally possible in peak traffic on today’s freeways. And it is in the peak periods, of course, that the relief that might be afforded by greater transit usage is the most important.

The key was obvious from the name:

Full use of the bus for rapid transit means it must be just that – rapid, not stopped or moving slowly at points or times of congested traffic to which the bus itself is a contributor.

Although roads, even freeways, can be adapted to encourage bus usage, one way was especially promising:

The obvious answer is the reserved bus lane. Reserved lanes are not uncommon on city streets, but no attempts have yet been made to incorporate a reserved lane in a freeway.

It is our belief that it could be wholly practicable to provide a special freeway bus lane, but it would involve somewhat complicated layouts and undoubtedly adds to the highway cost

Many factors are involved in a decision to reserve a lane for buses, even during peak hours. The Bureau of Public Roads takes the position that such a reservation is reasonable if the usage by bus passengers exceeds the number of persons that would normally be moved in the same period in passenger cars—say, 3,000 per hour.

No matter how quick the ride on a reserved bus lane, “rapid bus transit will hardly be that unless the downtown terminal problem can be solved.” A private right-of-way in the congested area is an obvious answer for buses. Whether elevated or depressed, the right-of-way “could be in subway, as investigated and dismissed, for the present at least, in Washington.” Perhaps, however, “the answer is much simpler. Perhaps it is the downtown street system itself.” Completion of freeway networks would help by moving through traffic off local streets in congested downtowns:

In no city do we yet have a completed freeway system providing a satisfactory inner loop. Once that is achieved, as it will be in one after another of the larger urban areas, half or even two-thirds of the vehicles now on the existing streets will be diverted to the freeway. They are on the street now only because they are passing through.

By freeing downtown streets of traffic that was only passing through, the inner loop freeways around the country would allow streets to “indeed become the best possible downtown transit distributors, with traffic control adjusted to accommodate the predominant bus use.”

Enabling buses to provide rapid transit would require improvements:

To provide an effective system would be a bold step, but far less in the way of capital outlay and far more flexible in operation than any fixed rail operation, whether it be the conventional two rail system the new San Francisco subway will rely on, or the more fanciful monorail of the Sunday supplements. From the highway officials’ viewpoint the highway elements involved are practicable The transit operator would need some controlled imagination to hold up his end of the system and he might also need financial help.

Bringing about a “combination of highway design and of transit vehicle design and operation [is] the long-time aim of the Bureau of Public Roads.” Holmes concluded with a two-sentence summary:

Highway and transit officials cannot be adversaries. They must be partners.

On May 18, Acting Deputy Federal Highway Administrator Lowell K. Bridwell released a circular memorandum distributing copies of the Holmes speech to headquarters and field directors. Bridwell stated that the speech “describes the views of the Bureau of Public Roads on this subject.” He believed that BPR and State officials “will find the paper useful as background for discussions that may arise with respect to coordination of highway and transit improvement programs.” [Speech summarized in: Eisen, Jack, “Freeways With Express Bus Lanes Urged by U.S. Expert,” *The Washington Post and Times Herald*, June 4, 1964]

(Well into the 1970s, pressure increased in Congress to allow Highway Trust Fund revenue to be used for construction and operation of transit facilities, especial rail rapid transit. Throughout this period, BPR/Federal Highway Administration (FHWA) would promote bus rapid transit/exclusive bus lanes as an alternative to rail rapid transit, touting the lower cost and the absence of sufficient funds to provide rail rapid transit in every city that wanted it. For more information on the fight over diversion of highway user tax revenue to transit, see “Busting the Trust: Unravelling the Highway Trust Fund 1968-1978” on this Web site.

(Starting in 1964, BPR began working with District and Virginia highway officials on a demonstration project to add an exclusive bus lane to Shirley Highway (then a four-lane I-95). Partners included the Washington Metropolitan Area Transit Commission, the Washington Metropolitan Area Transit Authority, the Metropolitan Washington COG, the Northern Virginia Transportation Commission, the AB&W Transit Company, and the WV&M Coach Company. The first version of the exclusive lanes opened on September 22, 1969 – buses were given exclusive use of 4.5 miles of reversible express lanes on Monday through Friday mornings, initially saving an estimated 12 to 18 minutes for commuters. Exclusive evening service was not available at the start of the demonstration plan, but the service expanded as officials reconstructed Shirley Highway. The success of the lanes prompted similar lanes in other States and gave FHWA an object lesson in the advantages of bus rapid transit versus rail lines. [Erion, David F., “The Shirley Highway Story,” *Virginia Highway Bulletin*, July 1974, as available on Scott Kozal’s Web site, “Roads to the Future,” at http://www.roadstothefuture.com/Shirley_Busway.html.)

In September, Representatives Broyhill, Mathias, and Sickles prepared a joint resolution calling for “the immediate implementation of a program to improve existing transportation facilities in the Washington Metropolitan Area.” In particular, they wanted “to significantly upgrade” bus service even if the expansion was “beyond the resources of the private carriers.” The resolution called on NCTA, the Housing and Home Finance Agency, BPR, and the District commissioners to work with JTC and the bus regulator, Washington Metropolitan Area Transit Commission, to develop recommendations for enhanced bus service within 6 months.

The Representatives reasoned that “although [a rapid rail] system must be evolved, additional years will pass before it can be developed to its ultimate potential and capacity.” Representative Broyhill emphasized that, “Under no conditions should this [resolution] be used to delay rapid transit.” [Geremia, Ramon, “Congressmen Urge Better Buses While Waiting for D.C. Subway,” *The Washington Post and Times Herald*, September 4, 1964; “Area Congressmen Ask For Better Bus Service,” *The Evening Star*, September 3, 1964]

By early November, NCTA had sent its new rail rapid transit proposal to the Bureau of the Budget. In addition, NCTA sent a memorandum to other Federal officials outlining the plan's major features. The \$431 million plan involved 24.9 miles of subway and surface rail lines, mainly in the District, but linked to bus service and commuter parking garages. About half of the mileage or 13.1 miles, would be in subway format in downtown Washington. The plan provided limited service into Maryland and Virginia, but was designed to allow extensions further into the suburbs, as traffic and funding permitted, to the extent of NCTA's 1962 plan.

The downtown subway would connect the White House and Capitol Hill with five branch lines:

- One would be a subway line from the White House at Lafayette Park through northwest to the Bureau of Standards at Van Ness Street.
- The longest line would follow the Baltimore and Ohio Railroad right-of-way from Union Station to Woodside, Maryland, with stops in Takoma Park and Silver Spring, essentially the route of the proposed North-Central Freeway.
- A third line would run from the White House to the K Street, NW., corridor across Georgetown through a Potomac River tunnel to Rosslyn, Virginia, before curving south to Pentagon City.
- Another branch would run east from the Capitol to a terminal at Kenilworth Avenue and Benning Road across the Anacostia River.
- The fifth line would branch off the Van Ness Avenue line at a point north of Connecticut and Florida Avenues, NW., before ending at Georgia Avenue and Quincy Street in Columbia Heights.

The plan, as described in the staff memorandum, relied on closely knit rail and bus transit systems:

The proposed rail rapid transit system will be augmented by a comprehensive areawide network of feeder bus routes operating in coordination with the rail system under joint arrangements as to fares and transfers.

Ten of the 29 rail stations would include off-street shelters for transferring among the modes. Nine of the rail stations would provide a total of more than 12,000 all-day parking spaces.

The document stated that "the peak-hour problem in central Washington can be solved only by grade-separated rail rapid transit." It added:

Unless the proposed rail transit system is begun promptly, the effects of downtown congestion will become intolerable.

Some adjustments of bus lines would be needed:

A considerable portion of the existing service will remain unchanged, particularly in the areas not directly served by rail facilities. At the same time, the rail system will enable the bus companies to reduce the extent of their most time-consuming and costly peak hour operations in the downtown area.

Partial service on the system could begin in 1970, with the entire system to be completed by 1972:

Design of the subway in central Washington takes into account both the existing development and its potential expansion, with full regard for protection of monumental and historic places, parks and residential neighborhoods.

The fare would be 25 cents for rides within the original 10-square-mile area of the District of Columbia (i.e., including the portion returned to Virginia in 1846 through retrogression). The fare would be 35 cents for rides beginning or ending outside the 10-square mile boundary. NCTA estimated that farebox revenue would pay for all operating expenses and 65 percent of construction and equipment acquisition costs.

The Federal Government would contribute \$100 million to the cost of construction and equipment, while the District would provide \$50 million. NCTA would finance the remaining \$281 million in construction and equipment costs by the sale of federally guaranteed 50-year bonds, with farebox revenue repaying the bonds, plus \$52 million in interest, over that period. If farebox revenue fell short, the District would make up one-third of any loss the Federal Government sustained.

The *Post* listed the differences with NCTA's 1962 plan:

Chief among the ways in which the plan differs from the NCTA's original 98-mile conception is the elimination of several rail lines extending deep into the suburbs. Critics in Congress had said they doubted that so ambitious a scheme could win approval . . .

Also dropped [sic] from the original plan was the idea to provide expanded and improved commuter service on the Pennsylvania Railroad line to Bowie, Md.

A third change is to have a single branch line serve both Rosslyn and Pentagon City, instead of having a separate line to each.

Other differences are the substitution of the East Capitol st. line for one to the Anacostia-Bolling area and the extension of the Columbia Heights line from 7th st. and Columbia rd. to Georgia ave. and Quincy st.

As made available, the plan did not address the labor issues that had been one of the major reasons the bobtail plan had been recommitted in December 1963. [Clopton, Willard, "New Fast Transit Plan Is Outlined," *The Washington Post and Times Herald*, November 2, 1964; Eastman, Sam, "D.C. Prepares New Rail Plan," *The Sunday Star*, November 1, 1964]

The reaction was mixed, in part because the proposed network did not reach far enough into the suburbs. For example, Representative Mathias said:

I would be disappointed if we were not contemplating pushing the railheads out to serve the densely populated suburban areas. Whatever is done in the District has got to be done

as a foundation for a thorough and complete mass transit system serving the whole metropolitan area.

District highway planning chief Grant agreed because the District's highway plan was based on a comprehensive rail system. "I feel we will need more than the system now proposed if your highway system is to be adequate." Nevertheless, he thought the NCTA proposal "seems to be a right step providing we can work out details and coordinate our construction efforts."

Assistant Engineer Commissioner Israel thought the limited system might have an advantage because it would be financed by the District, the Federal Government, and bonds. Extending it further into Maryland and Virginia would require contributions from the States, and that could cause further delays in getting started. An early start on a limited system might spur efforts to complete negotiations on a tri-State compact and generate support for an expanded network that Maryland and Virginia would be willing to help finance.

In Virginia, Fairfax County Supervisor Frederick A. Babson, Jr. (and chairman of the new Northern Virginia Transportation Commission) agreed that it was "absolutely necessary that a beginning should be made," but he proposed that officials begin immediately to work on "plans for extending two or three of the lines into Virginia." [Clopton, Willard, "Officials Praise, Criticize Rapid Rail Proposal," *The Washington Post and Times Herald*, November 3, 1964]

Reaction was less positive at a forum on mass transit sponsored by Alexandria's Northeast Citizens Association. NCTA General Counsel Owen Malone told participants that the proposal "is a truncated system, but it's just a beginning." He added, "There's nothing wrong with what we have. We don't have enough of it."

Virginia State Senator Leroy S. Bendheim of Alexandria said the plan "doesn't do very much to solve our problems on this side of the river." Vice Mayor Nicholas A. Colasanto of Alexandria asked if the plan was designed to help suburbanites "or is it to keep parking out of Washington? I am of the opinion it is the latter."

Chairman John K. Pickens of the National Capital Regional Planning Council, complained that the plan had the same faults as a previous NCTA proposal "that failed because they didn't sit down with the bus companies and the communities to work out a balanced plan." He added that, "I don't see how the plan is co-ordinated with planning in Northern Virginia." As an example, he said the planned tunnel at Rosslyn would cause "complete confusion." In an apparent reference to the separate crossing to Pentagon City contained in NCTA's 1962 plan, he added, "I feel two crossings are essential."

According to the *Star*, "The forum became, in effect, a testimonial to bus service." Robert T. Mitchell of the Alexandria, Barcroft and Washington Transit Company said the plan would hurt bus service. The company did not oppose a downtown subway, "but prove to us you can justify the cost of coming under the river and extending it into Virginia. The people of this area should realize they've got a good transit system, and you've got to make sure you don't disturb that."

State Senator Bendheim agreed about the need for greater consultation by NCTA with bus and railroad companies to create a “more co-ordinated plan that all of us can be in complete agreement with.” He said the transit company “has been paying a lot of taxes in the city, and I intend to do everything I can for the bus company.”

General Counsel Malone, responding to the support for bus transit, said that buses cannot meet the community’s needs when population increases to 3.5 million in 1980. “Other cities the size of Washington and other world capitals have found that rail rapid transit is the answer. There’s no question of the quality of bus service” he said, but congestion was increasing and would continue to do so. [Kline, Jerry, “New Rapid Transit Plan Criticized in Alexandria,” *The Evening Star*, November 10, 1964]

Chairman McMillan was optimistic about early House action. He said:

The prompt completion of necessary legislative action and early construction of such a system is essential to the welfare of the District of Columbia and the metropolitan area. I anticipate early action on the NCTA recommendations by the House District Committee since we held extensive hearings and explored all facets of the problem in the 88th Congress. [“McMillan Sees Action On Rapid Transit Plan,” *The Sunday Star*, November 8, 1964]

NCTA informed District and Maryland officials that plans did not include building rail rapid transit in the median of the North-Central Freeway, which was being designed for that purpose. Agency officials preferred their original plan of providing two tracks in the right-of-way of the Baltimore and Ohio Railroad. In response, Grant said the North-Central Freeway would retain the widened median with reversible lanes for commuters and possibly express buses. [“Rail Transit on Freeway Opposed,” *The Washington Post and Times Herald*, November 22, 1964]

After receiving the Budget Bureau’s tentative approval, Stolzenbach sent a copy of the plan, titled *Transit Development Program, 1965*, to governing bodies and planning agencies in the area on December 2. He wrote:

The system proposed herein . . . is an essential and significant beginning toward the solution of the region’s long-range transportation problem It will take about five years to put into operation.

The system was “designed for efficient and speedy expansion into the suburbs as soon as Maryland and Virginia counties are legally and financially able to do so.”

The plan included some details not previously available. NCTA proposed to administer construction contracts until area governments reached agreement on a compact establishing a multi-jurisdictional agency to supervise construction and administer fares, schedules, financing, and additional contracts. Construction, NCTA officials suggested, would begin from the proposed main terminal at Kenilworth Avenue and Benning Road, NE., east of the Anacostia River, through downtown to at least Connecticut and Florida Avenues, NE.

However, NCTA proposed private, rather than public, operation of the system after it opened. Experience in other cities demonstrated “that a satisfactory arrangement can be worked out with a private operator that will provide efficient operation and will adequately protect the public interest in the rapid transit facilities.” Moreover, because rail workers would be employees of the private company, they would receive collective bargaining and other union rights. [“Enlarged Rapid-Transit Project For ’65 Unveiled by Stolzenbach,” *The Evening Star*, December 2, 1964; Lardner, George, Jr., “Budget Unit Backs Plan for Subway,” *The Washington Post and Times Herald*, December 2, 1964]

Recognizing that the proposal involved only the first stage of a larger plan, area officials and planners endorsed NCTA’s transit plan.

As the 89th Congress began organizing in January 1965, the Senate District Committee received two new members, both serving their first term: Senators Tydings and Robert F. Kennedy (D-NY), President Kennedy’s brother and the former Attorney General. Senator Tydings had served as U.S. Attorney in Baltimore under Attorney General Kennedy before running for the Senate and defeating Senator J. Glenn Beall. Given that service on the committee was, as the *Post* put it, “non-prestigious,” young Senators usually tried to avoid the committee. Nevertheless, Senator Kennedy volunteered for the committee and Senator Tydings, while not eager, was willing to serve.

The two “share a common interest in home rule for Washington and an improved educational program for the city’s youth.” Senator Kennedy thought the city had been ignored prior to the Kennedy Administration. “The Executive Branch thought it was the responsibility of the legislative branch and the legislative branch thought it was the responsibility of somebody else.” The new Senator had played a role in creating the post held by Charles Horsky, in part to correct that situation.

Commissioner Tobriner said, “I am highly pleased that Senator Kennedy has consented to be a member of the [District] Committee because of his long familiarity with District affairs and his constructive interest in improving the city. Sen. Tydings is also a most valuable addition to the Committee. Both he and his family have had a long association with the District and concern with its affairs.” [Schuette, Paul A., “R. Kennedy, Tydings Added to Senate’s District Committee,” *The Washington Post and Times Herald*, January 9, 1965]

President Johnson Jump Starts the Plans

On November 3, 1964, President Johnson defeated the Republican candidate, Senator Barry M. Goldwater of Arizona, by a landslide in the popular vote (43.1 million to 27.1 million) and the electoral college (486 to 52). In a book about the Johnson presidency’s legislative record, Professor Julian E. Zelizer explained that the vote did more than give President Johnson a mandate:

Goldwater’s extreme right-wing candidacy, as well as the excitement over Johnson’s legislation and the positive memories in the electorate of John Kennedy, drove the size of Democratic majorities to historic levels. The composition of Congress . . . changed

dramatically. With huge majorities in the House (295-140) and the Senate (68-32), Democrats would have more seats than at any time since 1936 The conservative coalition in Congress had been reduced to its smallest size since it had formed “There were so many Democrats,” noted the young Illinois [Republican] representative Donald Rumsfeld upon surveying the landscape after Lyndon Johnson’s victory, “that they had to sit on the Republican side of the aisle.”

Johnson had had numerous successes in the more balanced 88th Congress, including the landmark Civil Rights Act of 1964 and Urban Mass Transportation Act of 1964, but the “Eighty-ninth congress was potentially more fertile ground for the broad range of controversial programs on his dream agenda.” [Zelizer, Julian E., *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society*, Penguin Press, 2015, pages 159, 164-165]

The combination of a Presidential landslide and widespread Democratic control of the new Congress gave President Johnson a legislative opportunity that few Presidents have had. He took full advantage of it domestically with a range of proposals big and small, national and local.

On January 4, 1965, in his State of the Union Address to a joint session of Congress, President Johnson outlined his vision of a Great Society. He had unveiled the concept of a Great Society in May 1964, when he outlined his first steps during a speech to the University of Michigan at Ann Arbor:

We are going to assemble the best thought and broadest knowledge from all over the world to find these answers. I intend to establish working groups to prepare a series of conferences and meetings—on the cities, on natural beauty, on the quality of education, and on other emerging challenges. From these studies, we will begin to set our course toward the Great Society

Now, in the State of the Union Address, he outlined the results of his review:

We worked for two centuries to climb this peak of prosperity. But we are only at the beginning of the road to the Great Society. Ahead now is a summit where freedom from the wants of the body can help fulfill the needs of the spirit.

We built this Nation to serve its people.

We want to grow and build and create, but we want progress to be the servant and not the master of man.

We do not intend to live in the midst of abundance, isolated from neighbors and nature, confined by blighted cities and bleak suburbs, stunted by a poverty of learning and an emptiness of leisure.

The Great Society asks not how much, but how good; not only how to create wealth but how to use it; not only how fast we are going, but where we are headed.

It proposes as the first test for a nation: the quality of its people.

This kind of society will not flower spontaneously from swelling riches and surging power.

It will not be the gift of government or the creation of presidents. It will require of every American, for many generations, both faith in the destination and the fortitude to make the journey.

And like freedom itself, it will always be challenge and not fulfillment. And tonight we accept that challenge.

The economic component of the Great Society included “Transportation for Growth”:

I will recommend heavier reliance on competition in transportation and a new policy for our merchant marine.

I will ask for funds to study high-speed rail transportation between urban centers. We will begin with test projects between Washington and Boston. On high-speed trains, passengers could travel this distance in less than 4 hours.

As the month progressed, rail rapid transit for the Washington area had been gaining momentum, but always with uncertainty about the prospects in Congress.

The highway departments in Maryland, Virginia, and the District of Columbia endorsed NCTA’s new plan. Chairman Funk said that Maryland’s planned highway network would not be enough to meet transportation needs without “an early implementation of a safe, comfortable, convenient and economical rapid transit facility in selected commuting corridors.” Virginia Highway Commissioner Douglas B. Fugate informed NCTA:

I think all of us realize the need for mass transit in the heart of the Washington Metropolitan Area, and your report appears to cover a basic system toward filling this need.

Maryland Governor Tawes and Virginia Governor Harrison endorsed the letters from their State highway officials.

Engineer Commissioner Duke said the city had provided its recommendations to the Bureau of the Budget and they must remain confidential. He said, however, that the District government “has always been in support of a balanced transportation system.”

As Lee Flor wrote:

The NCTA also has received endorsements from Arlington County, the Maryland-National Capital Park and Planning Commission, the city of Rockville, and Fairfax City. In addition, the Prince Georges County Commissioners approved the transit plan Friday Fairfax County and the National Capital Regional Planning Council are expected to approve the proposal tomorrow. [Flor, Lee, “Virginia, Maryland Endorse Rapid Rail Transit Proposal,” *The Sunday Star*, January 10, 1965]

On January 14, President Johnson's annual message to the Congress on the District of Columbia discussed the city's freeway impasse, as mentioned earlier. However, on rail rapid transit, he promised only to address the subject in a later document:

I shall shortly send to the Congress my recommendations with respect to the rapid transit program. Funds to meet the District's share of initial costs are included in the budget.

By January 24, the *Star* was reporting the White House's decision to replace Stolzenbach as NCTA Administrator. An anonymous White House official confirmed that President Johnson would accept Stolzenbach's resignation as soon as officials found a replacement:

Replacing Stolzenbach is designed to brighten chances for congressional approval of legislation authorizing a rapid rail network for the Washington area Critics have charged that Stolzenbach generated ill will toward his agency from several influential sources, including several key members of Congress.

According to critics, the agency's plans have suffered because of Stolzenbach's early recommendations for junking some highway construction projects, his feuds with some suburban planners, and because of alleged failure to coordinate planning with area officials and bus line operators.

Although supporters argued that "it was impossible to push ahead with the rail plans and at the same time make no enemies," the *Star* reported that:

The decision to replace Stolzenbach is part of an effort to erase old mistakes and create a fresh start when the new transit bill goes to Congress, the administration source said.

He pointed out, for example, that careful effort should have been made to end the rail transit-highway conflict and also to get support from area officials for the new transit plan. ["Stolzenbach Resigning As Transit Agency Chief," *The Sunday Star*, January 24, 1965]

On January 25, President Johnson submitted his annual message to Congress on the national budget. It included some references of interest to District officials. One was:

No recent step in improving the prospects for future urban development has been more significant than the enactment of the Urban Mass Transportation Act of 1964. To extend similar opportunities to the local communities of the National Capital region, I urge authorization of the special Federal assistance required to provide the nucleus of an adequate system of high-speed urban transportation for this area.

The Washington Metropolitan Area Transit Commission, the bus regulator, unanimously endorsed NCTA's proposal on January 27. The approval said the plan was "in the long-range public interest of the Washington metropolitan area," despite "some reservations as to the overall financial conclusions reached in the plan." Executive Director Ison said the decision was "an unqualified endorsement of the proposed rail system of NCTA, even though additional governmental subsidies over and above those contemplated by NCTA may be involved." He

pledged that commission staff “will cooperate and exert every influence within its capability in urging the enactment of appropriate legislation to achieve” the area’s needed rail rapid transit system. [“Rail Rapid Transit Gets Metro Backing,” *The Evening Star*, January 27, 1965]

Stolzenbach submitted NCTA’s revised transit plan to President Johnson on February 1, 1965. The transmittal letter stated:

This program would authorize a rail rapid transit system in the National Capital region essentially similar to that which the House Committee on the District of Columbia endorsed in 1963.

The revised system is capable of extension later to a system of the scope recommended by the Agency in its 1962 report. It will provide the region with greatly improved mass transit service, will be efficient and economically feasible, and would be operational in about five years.

He emphasized that appropriate State and local officials, as well as other interested organizations, had reviewed the proposal and that it had “received enthusiastic and widespread endorsement.” He concluded:

It is consistent with Congressional policy and directives outlined in the Agency’s enabling Act. I therefore recommend that it be transmitted to the Congress, together with appropriate implementing legislation which accompanies this report.

Professor Schrag described the 40-page report, *Rail Rapid Transit for the Nation’s Capital*:

Unlike the elegantly typeset and lavishly illustrated 1962 report, *Rail Rapid Transit* broadcast frugality. It appears to have been created on a typewriter, with only a few drawings thrown in. Inside, however, the plan essentially replicates the bobtail scheme defeated in 1963, extending the twenty-three miles of rapid transit to twenty-five miles, with a total price tag of \$431 million. Bonds, to be repaid out of the fare box, would cover 65 percent of that amount, leaving \$100 million in federal grants and \$50 million in D.C. grants, the same 2:1 ratio established by the Urban Mass Transportation Act of 1964. In contrast with the 1962 report, which advocated either a federal corporation or an interstate compact agency, the 1965 report proposed that a private company be found to operate rapid transit. This provision was designed to placate the labor unions; unlike a federal government [agency], a private operator faced no restrictions against binding arbitration.

Stolzenbach apparently had learned from experience, because the new report barely mentioned highways:

It notes, at the beginning, that “no highway system could be designed for the central area that would be both capable of handling all peak-hour trips and compatible with the city of Washington” and, at the end, that rapid transit “will enable the highway system to function more effectively” by diverting some drivers, but that is all. (Either of these statements would fit in well in the 1959 MTS plan.) It mentions no highways by name

and includes no highway map; an ignorant reader might not discern any controversy at all. [Schrag, pages 59-60; the report can be found in Rapid Rail Transit for the Nation's Capital, Hearings on H.R. 4822 before Subcommittee No. 5 of the Committee on the District of Columbia, U.S. House of Representatives, 89th Congress, 1st Session, February 17 and 24, March 3, 10, and 17, 1965, pages 7-36]

President Johnson transmitted the NCTA report and legislation to Congress on February 10:

The problem of mass transportation in the Washington area is critical. It is also a problem in which the Federal Government has a unique interest and responsibility. As Congress found in the National Capital Transportation Act of 1960, an improved transportation system for this area "is essential for the continued and effective performance of the functions of the Government of the United States, for the welfare of the District of Columbia, for the orderly growth and development of the National Capital region, and for the preservation of the beauty and dignity of the Nation's Capital."

There is widespread agreement that a high-speed and high-capacity rail transit system operating over separate rights-of-way through the more densely populated sections of the Washington metropolitan area provides the most promising approach to a long-range solution. Such a system will preserve the beauty, the dignity, and the historic and monumental character of our capital city. It will exercise a desirable influence on the pattern of growth of the metropolitan area. And such a system is vital if we are to achieve the goal of a balanced transportation system for the area. The highway network now proposed for the area is predicated on an adequate rail transit system.

The report and proposed bill which I am transmitting provide for a system which will furnish the Washington area greatly improved transit service and which can later be expanded to the total system eventually needed. The National Capital Transportation Act of 1960 authorized the negotiation of an interstate compact under which the District would join with Maryland and Virginia in creating an appropriate organization to develop a total system for the area. My hope remains firm that such a compact organization can be brought into being at an early date. In the meantime, however, work on the present proposals can and should go forward without delay.

The Agency estimates, based on engineering studies carried on over the past five years, that to construct and equip the system which it proposes will cost \$431 million, excluding interest costs. The proposed bill authorizes the appropriation of \$150 million – \$100 million by the Federal Government and \$50 million by the District. With these grants, system revenues will be sufficient to provide for both operating expenses and the balance of the capital costs. The grants will also supply all the funds needed for construction until near the end of fiscal year 1968. By that time I hope that there will be a suitable regional compact agency which can assume the responsibility for issuance and sale of the revenue bonds needed to meet the remainder of the cost. If such a compact agency is not timely created, I will be prepared to present alternative recommendations in time for the Congress to give full consideration to the course to be pursued.

The National Capital area should no longer be denied the forms of urban transportation which are vital to its welfare. The proposed program is an appropriate beginning – indeed, a long step toward the total transportation needs of the area. I hope that the Congress will give prompt and favorable consideration to the legislation which is needed to get the program under way.

Chairman Whitener introduced the Johnson Administration bill, the National Capital Transportation Act of 1965 (H.R. 4822), on February 10, and Chairman Bible followed on February 11 with Senator Tydings as a cosponsor. The bill authorized construction of the plan described in *Rail Rapid Transit for the Nation's Capital*.

The resulting lines and facilities “shall not be operated except under contract by private transit companies, private railroads, or other private persons.” The contracts were to be awarded “only after formal advertisement and negotiations” with interested, qualified parties “including private mass transportation companies in the National Capital region.”

The Secretary of Labor was to certify that contract terms were consistent with Section 10(c), “Labor Standards,” of the Urban Mass Transportation Act of 1964. The certification was designed “to protect the interests of employees affected by any such contract for the operation of the facilities authorized by this Act” The legislation also applied the Davis-Bacon Act’s requirement to construction workers to ensure they received the area’s prevailing wages. In addition, the legislation provided that relocation services authorized by the Act of October 6, 1964, would apply to the rail rapid transit plan for those displaced by construction.

The bill authorized \$100 million out of Federal revenues and \$50 million to finance the District’s share of construction costs. It also authorized a bond issuance of \$50 million by the District commissioners “to carry out the purposes of the National Capital Transportation Act of 1965.”

Chairman Whitener scheduled the first hearing on the bill for February 17. The Senate District Committee planned to hold off on hearings until the House District Committee completed its hearings. The idea was to find out if the House could proceed without encountering the problems that led to recommitment of the bobtail bill in December 1963.

Despite these steps, Representative Broyhill told the Northern Virginia Apartment Owners Association that he planned to introduce a bill offering a monorail system as an alternative to the NCTA plan. “I just don’t think monorail has had a fair trial,” he said. “I’m going to present it to the District Committee for its consideration . . . but it won’t be a rival to the National Capital Transportation Agency’s plan.”

When the association held a panel discussion, Representative Broyhill’s claim that monorail was about one-sixth the cost of a subway tunnel was contested. Fairfax County Supervisor Babson charged that Representative Broyhill was “comparing oranges and apples.” In downtown Washington, the monorail would have to go into a subway tunnel that would be more expensive because it would have to be designed to carry cars hanging from the ceiling. Moreover, Babson said, construction of rail lines on the ground or in open cuts would be “much cheaper” than monorail.

Representative Broyhill maintained that monorails, which would avoid the heavy costs of underpasses, overpasses, and right-of-way at grade, would be cheaper. For example, surface rail had been rejected on Columbia Pike in northern Virginia (State Route 244) because construction would be too costly. Monorail supports measuring 36 inches wide could be erected in the middle of Columbia Pike to provide fast transit service for the apartment complexes in the area. [Flor, Lee, "Broyhill Seeks Monorail System," *The Evening Star*, February 12, 1965]

On February 15, 1965, as mentioned earlier, President Johnson submitted his special message to Congress on the needs of the Nation's capital. He pointed out that the District could no longer be considered separately from the Washington metropolitan region:

Increasingly, the problems of the District blend into and become a part of regional problems. Transportation, water, air pollution, sewage and waste disposal, fire and police protection, recreation, employment, and economic development are only a partial list of matters in which neither the District nor any other part of the area can proceed behind its own jurisdictional curtains.

He said of the region's problems that:

The most critical of the regional development needs is transportation. Washington is now the only major capital in the western world lacking a rail rapid transit system. There is urgent need to begin the construction of such a system—largely within the District at the beginning, but eventually extending into the suburbs of Maryland and Virginia. I have already transmitted to the Congress proposed authorizing legislation.

The highway program in the region "must likewise not be allowed to lag." He said:

The cooperative efforts of District and Federal agencies through the Policy Advisory Committee to review some elements of the program should be continued. Construction should proceed as rapidly as funds can be made available.

The 1965 Interstate Cost Estimate

On January 11, 1965, Secretary of Commerce Luther H. Hodges submitted the 1965 ICE to Congress. It was the third in the series of ICEs and the first since 1961. The ICE was intended to estimate, as of January 1, 1964, the cost of remaining mileage in each State compared with the national total to provide the apportionment factors for FYs 1967, 1968, and 1969 to ensure simultaneous completion of the freeways to full Interstate standards.

The ICE was based on estimates each State, including the District of Columbia, had submitted describing the cost of completing its remaining Interstate mileage. "These estimates, so prepared and developed under the joint effort of the Bureau of Public Roads and the State highway departments, represent the best coordinated engineering judgment in this important matter."

The 1961 ICE had projected the total cost of the 40,886-mile Interstate System to be \$41 billion, of which the 90-percent Federal share was \$37 billion. By contrast, the "1965 total estimate is \$46.8 billion, of which \$42.0 billion is the estimated Federal share." Over 50 percent of that

total had been expended. Of that \$46.8 billion total estimate, the funds (State and Federal) needed to finish the remaining mileage totaled \$20,332,134 (Federal share: 18,385,737).

The ICE report identified several reasons for the increased cost. One was the Federal-Aid Highway Amendments Act of 1963 that had changed the design year for Interstate standards from traffic needs in 1975 to traffic needs 20 years from the date of PS&E approval. This change added \$342 million to the estimated cost. The cost of preliminary engineering, right-of-way, and construction had increased from \$39,136 million in the 1961 ICE to \$44,744 million – a difference of \$5.6 billion:

This increase results from changes in unit prices between 1959 and 1963; changes in construction quantities reflecting more developed design plans, additional lanes, interchanges, etc., to accommodate the increase in traffic forecast for system segments; the increase in right-of-way values particularly in the growing urban areas; the change in design year noted above; and the increase in cost resulting from additions and adjustment to the Interstate System which have been made during the period between the 1961 estimate and the 1965 estimate.

Experience was another reason for the increased cost:

The experience gained in the construction of the system to date, the added safety features which are a part of the highway design, the advanced knowledge in pavement design practices and the most complete planning and design data available for this estimate all contribute to the increase in cost which is reported. The 1961 estimate was based on 158,449 lane-miles of highway. The 1965 estimate provides for 163,429 lane-miles.

(A lane mile is the length of a roadway multiplied by the number of lanes. Example: A 10-mile long road that has four lanes, two in each direction, contains 40 lane miles.)

In short, the Federal share of costs was \$42 billion, but Congress had authorized \$22.215 billion through FY 1966. To complete the Interstate System as designated, Congress would have to authorize \$19.785 billion. [The 1965 Interstate System Cost Estimate, Letter from Secretary of Commerce, Committee on Public Works, U.S. House of Representatives, 89th Congress, 1st Session, House Document No. 42, January 13, 1965]

The total cost of the District's 29 miles of Interstate highways, built and unbuilt, was estimated to be \$408,585,000 – an increase of about \$60 million since 1961. The 1965 ICE estimated that the remaining cost of the District's Interstate mileage was \$273,301,000.

The District's estimate took the probable rail rapid transit system into effect. The 1961 estimate had been based on the assumption that only 25 percent of downtown commuters would travel by transit, a figure that critics had questioned. For 1965, the District used NCTA projections that 60 percent of downtown commuters would use transit, with the remainder traveling on the freeway network.

District officials cited several reasons for the \$60-million increase, in addition to the general reasons that costs had increased nationwide. The estimates had been adjusted for inflation. Estimated right-of-way acquisition costs were up an average of 7.5 to 15 percent every year.

The District also had made design changes to address concerns about the proposed freeways. For example, the Center Leg Freeway had been moved to avoid impacting the Rayburn House Office Building (the change added \$15 million to the cost). The South Leg Freeway was another example. Putting the freeway in a tunnel beneath the Tidal Basin added about \$20 million to the cost. The District had concluded that the higher cost to address aesthetic concerns was justified. A BPR spokesman told reporters the District's estimated cost was "fairly stable" compared with other States. [Flor, Lee, "D.C. Freeway Cost Estimate Up \$60 Million," *The Sunday Star*, January 17, 1965]

Overall, the 1965 ICE meant that Congress would have to find additional revenue to complete the Interstate System. Administrator Whitton told reporters that current highway user tax revenue would provide all but \$3.4 billion of the total estimated cost. That was the amount Congress would have to find.

The Administration was expected to propose sources of added revenue, with truckers a likely target for increases. Senator Randolph predicted that the trucking industry faced higher taxes. "This naturally is going to make the truckers unhappy and the rails happy, but it's one of those things," he said in a speech to the Associated General Contractors of Missouri.

At the same time President Johnson was seeking new revenue for the Highway Trust Fund, he was planning to propose cuts in excise taxes, including the tax on automobiles. The idea was to bolster economic expansion by putting more money in the pockets of taxpayers. This proposal to cut Federal excise tax revenue would complicate efforts to find additional revenue for Interstate construction. Whatever sources the Administration and the House Ways and Means Committee identified, *The Wall Street Journal* predicted "a free-swinging fight on Capitol Hill this year." [Associated Press, "Tax Increase for Truckers Predicted," *The Washington Post and Times Herald*, January 16, 1965; Wentworth, Eric, "Cost of Federal Highway System Raised \$5.8 Billion," *The Wall Street Journal*, January 14, 1965]

President Johnson, in his January 25 budget message to Congress, stated:

The estimated cost of completing the Interstate Highway System – which is financed by highway user taxes—has recently been increased by \$5.8 billion. To avoid serious delay in completing the system, while remaining on a pay-as-you-go basis, I will include in my excise tax proposals specific recommendations for increasing certain highway user charges.

Lardner captured the District's problem in his Potomac Watch column of February 1, 1965. He began:

The first slip in the big interstate highway system's 1972 deadline has popped into sight. One look at the District of Columbia's creaking progress makes it easy to understand

why. Highway officials all over the country are running into holdout cities where the going is toughest.

Administrator Whitton was determined to meet the deadline in the District and elsewhere. “We’re reaching the critical point. I have said – and I’ll say again – we’ve just got to get the roads, both urban and rural, located this year. I can’t tell the states that and not mean it for the District, too.” Officials would have to sell the public on the need for the highways. “If you get too many people unwilling to go along, you just can’t build a road.”

Lardner said the District had yet to firm up the location of half its Interstate mileage (14.2 miles) to the point where detailed design or right-of-way acquisition could begin. The Three Sisters Bridge, the North-Central Freeway, and the North Leg of the Inner Loop, “remain unsettled after years of talk.” The city had “the poorest interstate record in the country when compared with the states.” Whitton agreed, but added, “The District has a greater share of the problems everyone faces” because it did not have rural mileage to increase its completion percentage as the States did.

Lardner pointed out that critics were suggesting that rail rapid transit would make the controversial freeways unnecessary, despite the fact that NCTA had “long since abandoned any such claims.” He mentioned the President’s statement in his message to Congress on the District of Columbia budget about the highway program being “urgently needed” and that it had “been coordinated with the proposed rail transit program.” Despite ongoing controversies, Lardner wrote that, “The Administration appears to have decided to end the dispute and go ahead with the roads.” Lardner did think all the routes could be fixed in 1965, but thought the Three Sisters Bridge and the North-Central Freeway “may win approval, though both could stand some changes in design.” [Lardner, George, Jr., “D.C. is Roadblock for Interstate Route,” *Potomac Watch*, *The Washington Post*, February 1, 1965]

The House and Senate Committees on Public Works took up the 1965 ICE with the focus on nationwide needs, not the District of Columbia, to approve the apportionment factors. The House committee hearings on March 23 and 24 and June 17 briefly touched on the District. When the Senate committee held hearings at the end of March on nationwide issues, the District’s challenges did come up on March 31 when General Prentiss testified on behalf of ARBA. Senator Randolph asked General Prentiss to explain his statement that highway contractors were operating below capacity at a time when many States needed to complete their programs by the target date of 1972. “There must be a bottleneck,” Senator Randolph suggested.

General Prentiss replied:

I am sure that there are problems, and I think that the District of Columbia is a fine example of one of those problems. It is not due to a lack of capacity [or] capability on the part of the highway industry to get the job done here in the District, but there is a real problem in overcoming the opposition which exists in many areas to building the highways that are so badly needed in order to serve the many.

It is the few who are objecting to the program, and in many cases it is the few who are able to hold the programs up.

He added that many States faced a similar problem of “local opposition to getting the things done, and it is the few local people who feel that they are being penalized for the benefit of the many, and they do not like it.”

Senator Randolph wondered what motorists must think when, for example, the Theodore Roosevelt Bridge opened and traffic was funneled west to the George Washington Parkway. Already, he said, three lanes of traffic were funneled into two, and now with the opening of the Theodore Roosevelt Bridge, another lane was added “and here you have a bottleneck.” He said, “There are people who ask me why do we build the bridges, we build these roads, and then we bottleneck them, and make it worse than before.”

General Prentiss said that as Engineer Commissioner at the time, he had been involved in securing approval for the bridge, but did not know all the details since then. However, he said, that when the bridge was completed, it was “opened to traffic just as soon as some exits were available on both sides . . . so that the structure would not sit there unused when some people could get some benefit out of it.” He added:

I am of the opinion that there are a considerable number of tie-ins that were not completed at the time the bridge was opened for traffic. Some of them may have to do with some of the highways leading into Washington, which are still under consideration, and the right-of-way has not been cleared as yet . . .

The engineers that designed the bridge designed it for the ultimate traffic that it must carry. They are putting up a bridge to meet, say, the traffic requirements of 1975.

The highway program on the far side of the river has not been built to meet those same standards. But it would be very foolish on the part of the builders of the bridge to design one which had a capacity limited to the inadequate roads on the south side of the bridge.

Senator Randolph asked General Prentiss if he meant “there needs to be more effective coordination between Virginia and the District of Columbia and Maryland”

General Prentiss agreed. “And the program to distribute the traffic as it crosses needs acceleration.”

Senator Randolph said, “I agree with this statement. This is from personal observation.” [1965 Cost Estimates for Completion of Interstate and Defense Highway System, Hearing before the Subcommittee on Public Roads, Committee on Public Works, United States Senate, 89th Congress, 1st Session, March 30 and 31, 1965, pages 112-113]

On April 1, Peter Craig wrote to Senator Randolph on behalf of the Committee of One Hundred on the Federal City:

Without questioning the wisdom of the efficient completion of the Interstate System, we do question the wisdom of sanctioning, even by indirection, the disproportionate expenditure within the District of Columbia of sums three times as much per capita as are being spent elsewhere in the country.

Craig enclosed a letter he had sent to Chairman Fallon on March 24. Craig wanted to testify in support of an amendment to any resulting approval of ICE apportionment factors:

Provided, however, That the total cost of the Interstate System in the District of Columbia shall not exceed \$400,000,000.

Based on the 1965 ICE, the per capita expenditure of Interstate funds in the District amounted to \$682, compared with \$245 nationwide. “By any measure—population, the city’s needs, the resident’s desires—this top-heavy apportionment to the District of Columbia is grossly excessive.” The Committee of 100 thought the cost should be limited to \$400 million “and probably should be even less.”

As on previous occasions, he cited changes in the routes covered by the ICE since the first ICE in 1958/1959. Some routes had been deleted from the Interstate System or built and then deleted as in the case of the Kenilworth Freeway. The new routes added since then “have put impossible strains on the District’s highway fund and are unacceptable to Washington residents.” He listed routes with increased lanes:

- Center Leg Freeway (increased from six to eight lanes)
- Southeast Freeway (six to eight lanes)
- Anacostia Freeway (four to six lanes)
- 14th Street Bridge (eight to ten lanes)

He also listed projects added in the past 5 years:

- North Central-Northeast Freeway (10 lanes)
- Extension of Potomac River Freeway west of Key Bridge (12 lanes, including relocated Canal Road) to new bridge crossings (six lanes)
- East Leg Freeway along west bank of Anacostia River (six and eight lanes)
- South Leg Freeway (four and six lanes)

Craig added that several projects had expanded since preparation of the District’s 1965 ICE:

By the latest District of Columbia Highway Department long-range plan, the 14th Street Bridge is shown as 12 lanes (versus 10 in August 1964); the North-Central Freeway as 10 lanes (versus 8 last year).

These changes and expansions reflected “the concerns of the Committee of One Hundred on the Federal City—concerns that we feel are shared by most Washington residents.”

In an exhibit, Craig elaborated on the changes and added that the revised estimates did not include reimbursement for the use of park lands or any estimates of the number of residents or

businesses that would be displaced by the planned expansion of the Interstate program in the city. [1965 Cost Estimates for Completion of Interstate and Defense Highway System, pages 133-134, 142-143; the House Subcommittee on Roads did not include Craig's letter to Chairman Fallon in the record of its hearings]

The Senate Committee on Public Works did not address the District of Columbia in its report on Senate Joint Resolution 81 to authorize the Secretary of Commerce to apportion Interstate construction funds for FY 1967 based on the 1965 ICE. It recognized that the estimate did not reflect the final cost of completing the Interstate. For example, it was based on 1963 unit prices, a figure that could be projected to continue increasing. The estimate also did not include the cost of President Johnson's announced highway beautification program, which had not yet been submitted to Congress.

Caveats aside, the committee approved the apportionment factors based on the 1965 ICE. "Irrespective of whether the present level of authorization is maintained or is altered, an equitable distribution of authorized funds among the States requires that the recommended apportionment factors for 1965 be applied." [Cost Estimate for completion of the National System of Interstate and Defense Highways, Committee on Public Works, United States Senate, 89th Congress, 1st Session, Report No. 187, May 13, 1965]

On May 14, the Senate approved Senate Joint Resolution 81 by unanimous consent without debate. [Authorization for Secretary of Commerce to Apportion Sum Authorized for Fiscal Year Ending June 30, 1967, for the National System of Interstate and Defense Highways, *Congressional Record-Senate*, May 14, 1965, pages 10515-10516]

President Johnson submitted his wide-ranging proposals on excise tax changes on May 17. The message to Congress covered many subjects, including user fees, which he said allowed taxpayers to pay directly for the services they receive. "Users of highways come closer to reimbursing the Federal Government for its transportation investment than any other group. But inequities remain among the various classes of highway users." He recommended that Congress approve the 1965 ICE but also increase highway user excise taxes to meet the \$3 billion shortfall in anticipated revenue.

To begin, he recommended extending existing highway user taxes from their current end on September 30, 1972, to February 28, 1973. This change, he said, "will meet most of the increased costs of the Interstate System" but would not prevent a shortfall that could force States to cut back on their construction plans. Therefore, he recommended increasing user taxes on heavy trucks to yield about \$200 million a year until 1973. Changes included increasing the tax on diesel fuel from 4 cents to 7 cents a gallon, as well as increases in the truck use tax and tread rubber.

President Johnson said that the changes in truck taxes were justified by BPR's 1961 study allocating cost responsibilities among the classes of highway users. The highway cost allocation study, he said, "clearly show that heavy trucks are not paying fully for the additional cost of heavier pavement and other design features needed to carry them." Thus, his proposed changes would "achieve a fairer sharing of costs among the users of the highways." He had considered

increases in the size and weight of trucks allowed on the Interstate System, but based on cost allocation, they would lessen the fairness of the current distribution of taxes among highway users. He would recommend changes in sizes and weights “as soon as just and appropriate user charges are enacted.”

The House Ways and Means Committee, which is responsible for initiating tax legislation in the Congress, wanted to avoid bogging down the President’s overall proposal that was inevitable if the powerful trucking industry opposed the increases in truck taxation. Moreover, in the face of lobbying by truckers, some members of Congress doubted the accuracy of the 1961 cost allocation study and the 1965 ICE. The trucking industry advocated extending current highway user taxes by 9 months beyond September 1972. They also suggested that instead of eliminating the 10-percent Federal excise tax on passenger cars as President Johnson had proposed, the tax should be continued at the 1-percent level the committee had approved, but with the revenue directed to the Highway Trust Fund.

Chairman Wilbur D. Mills (D-Ar.) decided to advance a bill cutting excise taxes, while postponing action on the truck tax increases for consideration at “a later date.” Truckers were hopeful the heavy truck tax increases would be postponed indefinitely, and that was a possibility in view of all the other volatile measures in the committee’s bill that President Johnson had proposed. However, an anonymous trucking official said, “If he decides to push it, things will be different.” [Large, Arlen J., “White House Request for New Truck Taxes Appears Shelved for This Year in Congress,” *The Wall Street Journal*, July 1, 1965]

With funding issues unresolved, the House Committee on Public Works acted on Senate Joint Resolution 81 on July 26. It struck out the Senate-approved text and substituted its own bill based in part on the assumption that “the Interstate System must be continued on schedule and completed as required by law in 1972.” The committee increased the authorization for FY 1967 from \$2.9 billion to \$3 billion, but it could not approve the apportionment factors “until it is certain that the necessary means will be found to finance the additional increase in the cost of completing the system as contained in the cost estimate.” Instead, the amended resolution authorized the Secretary of Commerce to apportion funds based on the 1965 ICE, “but the Congress reserves the right to disapprove the cost estimate”

The bill also called for the Secretary of Commerce to conduct a comprehensive study of future highway needs and added a provision establishing a highway safety program. Under the safety provision BPR could not apportion Federal-aid highway funds after December 31, 1967, to any State that did not have a highway safety program approved by the Secretary to reduce traffic deaths, injuries, and property damage resulting from crashes on Federal-aid highways. This provision, creating Section 135 in Title 23, United States Code, was a response to the fact that 47,700 people lost their lives on the roads in 1964. [Interstate System Apportionment for Fiscal Year 1967, Needs Study, and Highway Safety Programs, Committee on Public Works, U.S. House of Representatives, 89th Congress, 1st Session, Report No. 681, July 26, 1965]

Despite some concerns about the safety provision, the House of Representatives approved amended Senate Joint Resolution 81 on August 2, by a vote of 313 to +11. [Interstate System Apportionment, 1967, *Congressional Record-House*, August 2, 1965, pages 18963-18968]

A conference committee resolved differences between the two resolutions on August 11. The revised resolution authorized apportionment of \$3 billion in Interstate construction funds for FY 1967 based on the 1965 ICE but subject to congressional disapproval. It included “the sense of Congress” that the Secretary of Commerce should submit a report on his estimates of future highway needs in January 1968. The resolution included new Section 135, which called on States to have a highway safety program, including an effective accident records system, measures to improve driver performance, vehicle safety, highway design, and maintenance, traffic control, and identification and correction of high accident locations. However, the funding penalty the House had imposed was eliminated. The reconciled bill did not alter the completion date of the Interstate System [Interstate System Apportionment, Conference Report to accompany S.J. Res. 81, U.S. House of Representatives, 89th Congress, 1st Session, Report No. 778, August 11, 1965]

The House and Senate approved Senate Joint Resolution 81 on August 12, both with minimal discussion and without recorded votes. [Interstate System Apportionment, *Congressional Record-House*, August 12, 1965, pages 20232-20234; National System of Interstate and Defense Highways – Conference Report, *Congressional Record-Senate*, August 12, 1965, page 20210]

While at his Texas ranch, President Johnson signed the bill on August 28 (P.L. 89-139). With his signature, he said, “we are authorizing the largest single year apportionment of [Interstate] Federal aid to the States for highways.” He praised the provisions on future needs and highway safety, but said the legislation “is but part of what is needed to insure that our highways will be able to meet the increasing demands placed upon them.” He referred to the legislation he had proposed to increase Highway Trust Fund revenue and to beautify the Nation’s roads. He intended to pursue the legislation “with all the vigor of the executive department until acted upon.” He explained why:

We are a Nation of almost 100 million drivers and 90 million vehicles. By 1970 we will be driving a trillion miles a year in America. We cannot depend on the roads of yesterday to carry the motor traffic of today and tomorrow. The life and pocketbook of every American are affected by the efficiency of our motor transportation system. The legislation now before Congress is necessary if we are to meet the new needs essential to the progress of our motor transportation system.

I appeal to all patriotic citizens interested in the improvement and continued development of our highway system to unite to the end of making that system adequate, superior in construction, and most important, attractive and beautiful.

By then, President Johnson had signed the Excise Tax Reduction Bill of 1965 (P.L. 89-44) on June 21, calling it “a bright day for all Americans.” His signature on the bill would “lift \$1¾ billion of onerous taxes from the American economy” at midnight. Excise taxes were repealed on retailers (jewelry, furs, toilet preparations, luggage, handbags, etc.), manufacturers (refrigerators, freezers, air condition units, appliances, electric light bulbs, radio and television sets, photographic equipment, business machines, pens, mechanical pencils, and lighters and matches), facilities and services (general admissions, race tracks, cabarets, club dues, communications on local and toll telephone and teletype-writer services, private communications services, telegraph service and wire and equipment services, transportation of people by air, and

safe deposit boxes), and miscellaneous taxes (bonds and stocks, playing cards, coin-operated amusement devices excluding gaming, bowling alleys, billiard and pool tables).

The 10-percent tax on the manufacturers' price of passenger automobiles was reduced to 7 percent upon enactment of the law, and gradually decreased to 1 percent on January 1, 1969. Consumers who purchased a passenger car between May 15 and the date of enactment of the law on June 21 were entitled to a refund of 3 percent of the tax prior to June 21. The 8-percent tax on the manufacturers' price for automobile parts and accessories (except truck parts) was extended to the end of the year, then repealed. The same was true of excise taxes on lubricating (6 cents a gallon) and cutting oil (3 cents a gallon). These changes did not direct any additional revenue to the Highway Trust Fund.

President Johnson said the bill "reflects the confidence of the administration and the Congress that the benefits of excise tax reductions will be passed along to the American consumer." He called it "another shining chapter in the legislative record that a great Congress is writing—a new chapter of progress in American life." [Joint Committee on Internal Revenue Taxation, *Summary of the Excise Tax Reduction Act of 1965 (H.R. 8371, 89th Congress, Public Law 89-44)*, U.S. Congress, October 9, 1965, pages 2-4]

North-Central Freeway Study

In January 1965, President Johnson had ruled out freeway construction in Northwest for the foreseeable future, thereby continuing the prohibition initiated by the National Capital Transportation Act of 1960. The North-Central Freeway and the George Washington Parkway, the President indicated, should be sufficient.

The Maryland State Roads Commission held a public hearing in the Silver Spring Armory on March 9 at 10 a.m. to explain and receive comments on the North-Central Freeway. As about 700 people entered the armory, they passed a picket line. STOP THE CONCRETE OCTOPUS read one sign. Another: FREEWAY AIR COULD GAG A MAGGOT!

Chairman Funk was the first speaker. He assured the crowd that the Maryland State Roads Commission would make its recommendations "based on sound evidence and conclusive data and will not be influenced by attacks on the judge and jury." Anticipating one likely argument, he said, "No responsible transit authority claims that the transit vehicle is a total answer" to transportation problems in urban areas.

In contrast to the public hearing on the freeway 3 months earlier, the crowd did not boo or jeer him. That began with the next speaker, as Lee Flor wrote at the start of his report on the hearing:

A bitterly angry crowd—booing and jeering—disrupted the testimony of officials today at the opening of a hearing on the North Central Freeway.

The immediate cause was that Walter J. Addison of the Maryland State Roads Commission told the crowd that the 148 witnesses would be limited to 5 minutes each. The hearing, he added, would end that evening at 10 and continue on March 10.

Mildred Bozzi of 48 Underwood Street, NW., jumped up to plead about babysitting problems. “We should be able to go home to our children and not have to stay here all night.”

Sammie Abbott charged Addison’s desk as he tried to gavel the audience to quiet. “We are determined to be heard,” Abbott said banging his fist on the desk. “When my time comes, I won’t be dragged off there,” he said, referring to the podium.

From this rough start, according to the *Post*, “you might have thought you were sitting at a performance of an old-time melodrama—encouraged to hiss the villain and cheer the innocent ingénue.”

After Addison quieted the crowd, Bruce Herman of J. E. Greiner Company summarized the company’s study of the North-Central Freeway. As his presentation reached 20 minutes, the audience began complaining that he had exceeded the 5-minute limit. “Will you allow me to proceed?” he asked. The audience chanted, “No.” Mayor Miller of Takoma Park made a “point of order” about the length, prompting Addison to rescind his 5-minute rule.

Takoma Park officials spoke against the freeway “definitely and unequivocally,” in the words of City Councilman Russell B. Jones. Among those displaced by the planned route, the officials pointed out, were more than 85 elderly home owners who would have difficulty obtaining mortgages for new homes. If the freeway must be built, the city favored shifting the freeway to the Baltimore and Ohio Railroad tracks, which would be four-tenths of a mile shorter, and reduce disruptions to homes and businesses.

One Takoma Park resident, Herbert D. Smith of 11 Pine Avenue, favored the freeway. “What Takoma [sic] needs is a new freeway . . . cutting through the heart of the town to bring new life and light, commerce and industry to the community,” he said. The *Post* reported he did so “amid boos, catcalls and jeers.”

At the end of the day, attorney Gleason, speaking for the Metropolitan Citizens Council for Rapid Transit, charged that the “highway lobby” had killed the bobtail bill in 1963. Now, he charged, a “temporary honeymoon has been entered into by the National Capital Transportation Agency and freeway proponents whereby they have agreed not to oppose each other’s currently limited program.” Gleason also claimed that as many as 45 government groups had some responsibility for transportation planning in the area and many of these agencies had a conflict of interest. He charged that freeway proponents were deliberately sabotaging extension of rail rapid transit into the suburbs by claiming it could be built in the medians of freeways that citizens opposed. No wonder “there is so much confusion in objectives by official representatives.” He cited Donald Gingery of the Maryland-National Capital Park and Planning Commission who had testified in 1963 in favor of building rail rapid transit in freeway medians.

Melvin R. Harris, president of North Takoma Citizens Association, drew heavy applause when he urged escalation of the fight against freeways by tearing out the Southwest Freeway, the first in the city. He warned elected officials that voters would strike back if they did not kill the North-Central Freeway.

Roderick F. Davis, chairman of the Save Takoma Park Committee, argued that the people who lost their homes would gain nothing while real estate speculators and highway builders would make “real money.” He charged that the Mayor and City Council of Takoma Park were not representing their constituents when they recommended a study of an alternative along the railroad tracks. Residents, he said, were opposed to any freeway, regardless of location.

By day’s end, most speakers had opposed the North-Central Freeway. [Flor, Lee, “Jeers End Cutoff On Freeway Talk,” *The Evening Star*, March 9, 1965; Diggins, Peter S., “Takoma Park Shouts ‘No,’” *The Washington Post and Times Herald*, March 10, 1965; Flor, Lee, “Transit Backer Charges ‘Sabotage’ By Promoters of Freeway Proposal,” *The Evening Star*, March 10, 1965]

On March 10, the crowd of about 200, dwindling through the day, heard witnesses who were nearly unanimous in opposing the North-Central Freeway. The exception was Donald A. Melnick of 7301 Birch Avenue in Takoma Park. “I am in favor of the freeway . . . even though I have a great love for the city of Takoma Park.” He admitted “my credentials fall short in that I am not a property owner.” His testimony prompted a loud dispute with his Birch Avenue neighbors, including Sammie Abbott of 7308 Birch Avenue. “You have no right to speak,” Abbott shouted at Melnick in the vestibule of the armory as a Maryland State Trooper stood by to ensure peace.

In the armory, Addison pounded his gavel for order, according to Lee Flor. “He has as much right to speak as anybody else. Please be quiet or you’ll have to leave.” (*The Post* recorded him as saying, “Will you please sit down. It is a public hearing, and everyone is going to speak.”)

In all, about 90 witnesses testified during the 10-hour hearing. [Diggins, Peter S., “Takoma Park Shouts ‘No,’” *The Washington Post and Times Herald*, March 10, 1965; Flor, Lee, “Pro-Freeway Witness Assailed by Neighbors,” *The Evening Star*, March 11, 1965; Diggins, Peter S., “Hearing on Freeway Has Heated Moments,” *The Washington Post and Times Herald*, March 11, 1965]

The Silver Spring Armory was booked for another event on March 11, but the Maryland State Roads Commission resumed the hearing on March 12. Robert Bruton, research chairman for the Metropolitan Citizens Council for Rapid Transit, was one of the witnesses on March 12, the final day of the hearing on the North-Central Freeway. Echoing Peter Craig, he argued that computer-based projections of traffic needs in the corridor were grossly overstated. Traffic, he said, had decreased between the District and Montgomery County. He said that a 1959 traffic study predicted that about 30,000 motorists would use the corridor in 1965. Instead, the figure was now about 20,000, Bruton said. As “a logical foundation for the need for any urban freeway,” the traffic projections were not sufficient:

The historical trend in peak-hour traffic from the area that would be served by the North-Central Freeway clearly indicates that the existing roads system in combination with a rail transit system will easily accommodate all commuter traffic in the foreseeable future and that the present road system alone will be sufficient until the rail system is in operation.

The North-Central Freeway, if built, would encourage creation of a “freeway system that will create an ever-spiraling increase in traffic and create an ever-increasing ‘need’ for more freeway construction.” Moreover, the construction of the freeway would “seriously jeopardize the success of any rail transit system.”

By midnight, the parade of witnesses finally ended. With oral statements concluded, Chairman Funk said the commission would be kept open for written comments until April 11. He also planned to meet with Takoma Park officials to discuss alternative routes. [Flor, Lee, “Statistics on Need Of Freeway Are Hit,” *The Evening Star*, March 12, 1965; “Freeway Views May Be Filed Until April 11,” *The Sunday Star*, March 14, 1965]

With the 3C planning process set to take effect on July 1, 1965, Wolf Von Eckardt saw the North-Central Freeway as an example of how the process could go wrong. In 1962, he said, President Kennedy had asked for legislation prohibiting Federal-aid highway funds for projects in urban areas unless they were “consistent with comprehensive plans” and an “integral part of a soundly based, balanced transportation system.” Senator Case claimed that highway interests prompted a change in this language to the ambiguous “transportation planning process carried on cooperatively by states and local communities.” (As noted earlier, the Federal-Aid Highway Act of 1962 required “a continuing comprehensive transportation planning process carried on cooperatively by States and local communities in conformance with the objectives stated in this section.”)

This ambiguity, Von Eckardt wrote, “virtually invites the highway department to run the show, make their own projections of needs and continue to equate ‘transportation’ with speeding private cars through the city at 60 miles per hour.” The fear was that the 3C transportation planning process would become the “continuing, comprehensive freeway building” program. He added, “That is no joke.”

He pointed out that the North-Central Freeway would cost \$21 million per mile in the District, pump 11,309 more automobiles into the city every day (“each of them requiring 250 square feet of parking space”), and displace “anywhere from 2000 to 4000 people, depending on what side you’re on.” He added, “no one disputes that most of them are Negroes, who’ll have a very hard time finding decent homes.” It would “gobble up several playgrounds,” divide neighborhoods in Woodside and Takoma Park, “and destroy the historic identity of Brookland and Michigan Park as neighborhoods serving Catholic University.”

These losses might be justified if the freeway were needed, but “a large number of serious and respected experts” disputed the District Highway Department’s traffic projections. He repeated the statistics showing declining traffic between the District and Montgomery County. Community leaders pointed out that while highway officials plan the North-Central Freeway, other officials are planning a rail rapid transit system that “would carry at least three times as many people at one-third the cost.” Peter Craig had told Von Eckardt:

Even if rapid transit construction takes place, the highway people believe that the presumed demand of suburbanites to drive their own cars is so strong that, if they receive

continued coddling through more radial highways and more central city parking, rapid transit will fall of its own weight.

NCPC's procrastination in completing its Year 1985 Plan for the District was one of the reasons why objective answers were hard to come by. The delay "left a vacuum and we can't really blame the highway bulldozers for moving in."

Von Eckardt saw some hope in efforts to create the 3C planning board required by July 1, 1965. The organizing committee, chaired by Frederick A. Babson, Jr., of the Fairfax Board of Supervisors, had proposed a 17-member Transportation Planning Board (TPB) from the District, Maryland, Virginia, NCTA, the Washington Metropolitan Transit Commission, the Federal Government, and a member appointed by the President. Four members would serve in an *ex officio* capacity and not have voting rights (BPR, the Housing and Home Finance Agency, NCTA, and the Washington Metropolitan Area Transit Commission), while the presidential appointee would have the option on whether to vote.

Von Eckardt pointed out:

"Only three of the 12 [voters] represent highway departments. It sounds promising. Now it will be interesting to see what, if anything, the new body will do about the North-Central Freeway. [Von Eckardt, Wolf, "Highway Planning Brings Nation to the Crossroads," *Cityscape*, *The Washington Post and Times Herald*, March 14, 1965; Flor, Lee, "17-Man Transit Board For Region Endorsed," *The Evening Star*, March 16, 1965]

(On March 16, Chairman Funk announced that construction of the 22-mile, \$50 million segment of I-95 between the Baltimore Beltway and the Capital Beltway would begin in the summer. Completion was scheduled for 1969. The Maryland State Roads Commission had decided to increase the number of lanes to eight, instead of six, based on traffic projections.

(To reach the District's inner loop, the State planned to extend I-95 across the Capital Beltway and through Langley Park, a community established in the 1920s in Prince George's County near the border with Montgomery County. The 5.3-mile freeway extension would connect with the North-Central Freeway in the vicinity of Soldiers' Home in Washington. The State was planning the extension as a six-lane freeway, with eight as the maximum number of lanes if traffic projections warranted the increase. The extension was scheduled for completion in 1971. [Guinn, Muriel, "8-Lane Route To Baltimore Starts Soon," *The Washington Post and Times Herald*, March 17, 1965])

Chairman Funk appeared at a Takoma Park meeting on April 1 to respond to questions from "irate residents of that community," according to the *Star*. He told reporters after the meeting that he was not concerned about loud attacks on him. "I was just the symbol of the Freeway. [sic] If my name had been Jones it wouldn't have made any difference." After the meeting, he said, "they actually applauded me." He added:

I think people are beginning to feel we're honestly trying to work out a solution. We don't rip things down regardless of feelings. We have feelings, too, you know.

Takoma Park's objections had created a "serious" situation that might require additional study:

I personally feel that some additional information should be studied by the consultants. Just because we've made so many studies of this thing, it doesn't mean that we've exhausted all the possibilities.

The *Post* reported that he also said:

"Even my 80-year-old mother, who lives out in Brunswick, Md. [in Frederick County], knows about this," Funk said.

"She reads the Washington papers and watches television and when I saw her recently she said, 'Now, John, what are you doing about the people in Takoma Park?'"

On April 2, he had a breakfast meeting in Silver Spring with the District's Airis and Albert Grant. They decided to ask J. E. Greiner Company to restudy the route, especially through Takoma Park, to reduce impacts on homes and business. The railroad alignment would be examined.

Funk told reporters that while studies were important, "hearings bring to light a lot of neighborhood patterns and feelings of folks—the impact on every-day living." Airis agreed:

We're most sympathetic with folks whose area we go through. It's difficult but we try for the very least impact possible on adjoining property.

Funk cautioned that, "I don't say we're going to please everybody, but our staff is busy studying the hearing transcript, which is as big as a Sears Roebuck catalogue." ["D.C., Maryland Aides Restudy Freeway Plan," *The Washington Post and Times Herald*, April 2, 1965; Asher, Robert L., "Freeway Route To Be Redrawn," *The Washington Post and Times Herald*, April 3, 1965; "New Study Due On Freeway," *The Evening Star*, April 2, 1965]

As far as the Save Takoma Park Committee was concerned, the only good thing about the restudy plan was that it would delay the freeway a little longer. The committee's statement referred to the decision as an "admission that the \$350,000, three-year study is inadequate":

But their proposal for a new route survey evades the real issue—namely, that no study has demonstrated that this ten-lane freeway is necessary,

As responsible citizens of the greater metropolitan area, the people of Takoma Park are greatly concerned with the relocation problems caused by the freeway, especially upon District residents.

The North-Central Freeway "would open up the Pandora's box of all the other proposed freeways, including the Inner Loop." The result of all those freeways planned for the District of Columbia would be that "an additional 20,000 people would lose their homes." The committee "demands" a study of the need for the North-Central Freeway and called for hearings on areawide freeway and bridge plans. ["Unit Opposes Any Freeway In NE Area," *The Washington Post and*

Times Herald, April 4, 1965; “Shelve Plan Of Freeway, Group Urges,” *The Sunday Star*, April 4, 1965]

On April 10, Chairman Funk confirmed recent reports that District and Maryland highway officials would ask Greiner to study building the North-Central Freeway for most of its length above the Baltimore and Ohio Railroad. The consultant also would consider estimates for an alternative ground-level route that would avoid Takoma Park. Lee Flor pointed out:

The Baltimore & Ohio Railroad is below ground level at some places and at other points is perched on an embankment 20 feet above existing street levels, so it may be difficult to double-deck the freeway all the way over the tracks, Funk said.

Funk said he planned to fly along the railroad route in a helicopter to get a “birds-eye” view of the engineering problems that might have to be examined.

Funk and Airis had met in a “summit conference” with BPR Administrator Whitton to secure clearance for the study.

They estimated that the study would take 60 to 90 days and cost about \$35,000. [Flor, Lee, “Consultant to Study Elevated Freeway,” *The Sunday Star*, April 11, 1965]

The District commissioners approved the study on April 20. However, they also agreed on a second study that would authorize an “outstanding traffic engineer of national repute . . . to independently review and evaluate” the traffic projections that had been the source of much of the criticism of the freeway. Airis said, “We’re convinced, of course, of our statistics” but agreed to the study “just to make sure.”

The commissioners also agreed to ask NCTA to participate in and “monitor” the traffic study. Assistant Engineer Commissioner John A. Israelson argued that NCTA’s participation was needed “so the figures cannot be held suspect as highway figures or subway figures.” He acknowledged, “There seems to be a rising challenge to traffic statistics that are used to support projects, whether they are a Potomac River bridge or the North Central Freeway.”

Airis, however, had a practical attitude about the two studies:

I’m sure we never could allay the opposition entirely. We’ll always have some professional “againers”—that’s all there is to it. [Pierce, Charles D., “Elevated Freeway Study Is Ordered,” *The Evening Star*, April 20, 1965; Asher, Robert L., “Study of Elevated Route Over Tracks, Traffic Project Double-Check Set,” *The Washington Post and Times Herald*, April 21, 1965]

In mid-May, NCTA agreed to participate in the study. NCTA would be part of a joint committee overseeing the study that would include the District and Maryland highway agencies, NCTA, and the Metropolitan Area Transportation Study, which was described as “a statistical bureau financed by the District, Maryland and Virginia Highway Departments.”

Planning chief Grant, in announcing the agreement, told reporters that the consultants would be free to submit any report they think is correct. The consultants would examine the analyses that critics often cited to undermine the case for the North-Central Freeway. Lee Flor explained, “most of the citizens’ arguments were based on an analysis by Peter S. Craig, a Washington attorney who had made a part-time hobby out of analyzing district highway justifications.”

“If we’ve been wrong all along.” he said, “we’ll admit it.” [Flor, Lee, “Freeway Restudy Accord Reached,” *The Evening Star*, May 17, 1965; “Consultant to Evaluate Freeway Arguments,” *The Washington Post and Times Herald*, May 18, 1965]

On May 24, Senator Tydings took to the floor of the Senate for a colloquy with Senator Proxmire about the District’s budget. As a member of the Senate District Committee and an *ex officio* member of the District Appropriations Subcommittee, he had listened to the recently completed hearings on the District’s FY 1966 appropriations act. The District had many problems, including crime, education, recreation, and aid to dependent children, each of which he discussed.

But with all those needs, the House appropriations subcommittee had included funds in the act for acquisition of right-of-way “for highways whose plans have not been approved or integrated with the proposed new rapid transit system.” The amounts were:

- Center Leg - \$900,000
- Potomac River Freeway - \$1.6 million
- North Leg - \$1.2 million
- Northeast-North-Central Freeway - \$520,000 (right-of-way and PS&E)

He said the “Commissioner’s authority to request appropriations for these projects is unclear.” He recalled the statement in the Comptroller General’s letter to Chairman McMillan indicated it would be “more appropriate” if the District commissioners asked the two District Committees for authorization of these expenditure.

Moreover, Senator Tydings had “serious questions” about the last two projects. “The North Leg, Central section of the Inner Loop does not seem to be satisfactory in its present form.” It would destroy upper income and slum dwellings in the Dupont Circle area. “If and when the necessity for such a freeway is finally established, a tunneled highway requiring less destruction of property, should be given primary consideration.”

He had “very strong feelings” about the Northeast-North Central Freeway:

I do not believe that the need for this freeway has been sufficiently justified. Further, I do not believe that the proponents of this proposed freeway have made plans to integrate their highway plans with the proposed District rail rapid transit system. As a Senator from Maryland, I do not believe this freeway should be thrust up to the Maryland border at this time.

If it were up to him, he would withhold the funds. He did not consider it “wise policy to give the Highway Department millions of dollars to go ahead with plans for freeways which have not even been finally approved yet, or made part of an integrated transportation system, including the proposed rail rapid transit network.”

Senator Tydings acknowledged that, “I am a very new member of this body,” but added, “I have been moved to speak about the needs of the children of the District simply because those needs are so great.”

Senator Proxmire responded regarding the other issues, particularly education. Senator Tydings pointed out that the city was neglecting education and other issues, while spending funds on areas that could be cut. For example:

It is not wise policy to give the Highway Department millions of dollars to go ahead with plans for freeways which have not even been finally approved yet, or made part of an integrated transportation system, including the proposed rail rapid transit network. There are plans to connect some District highways with roads in my own State of Maryland, which roads have not been made a part of an integrated transportation system.

The remainder of the colloquy concerned the other issues. [District of Columbia Appropriations, *Congressional Record-Senate*, May 24, 1965, pages 11430-11435]

The *Star*'s editors took exception to the Senator's suggestions. It was “nothing new,” they said. “This is the tired old theme which a small but well-organized group of freeway haters in our town has been singing for years.” It was, however, disappointing to see the Senator, who obviously was trying to understand the District's problems, “suckered into camp by these forces” because their arguments were “full of holes.”

Contrary to his assertion, the freeways he cited had been agreed to years earlier, before the current transit planning. Much of the funding the District commissioners had requested for the projects comes from local gas tax revenue that District law restricted to highways; they could not be used for anything else. “The Senator should know this.” The District had asked Congress to increase the city's gas tax by a penny and its borrowing authority to meet the schedule for completing the Interstate System. The additional revenue “is desperately needed. To talk, at the same time, of removing the inadequate funds already available, is senseless.” Further, his position, if actively pursued, would revive the “destructive business of pitting the advocates of transit and of highways against one another.”

Senator Tydings' concern about the District's range of problems was meritorious. “But the proper financing procedure is to approach these needs on their merits—not to rob, in the process, other programs which are fully justified in their own right.” [“Bill of Goods,” *The Evening Star*, May 27, 1965]

Senator Tydings replied to the editorial in a letter published on June 6. The editorial had misunderstood his statement. He had suggested an increased Federal payment to the District, passage of the commissioners' requested changes in taxation, and greater use of borrowing

authority. “I did not suggest a diversion of monies from the highway fund.” He had simply suggested not appropriating funds “for those freeway projects which have not been previously authorized by Congress.”

He pointed out that his argument against the North-Central Freeway was borne out by the fact that Maryland and the District sought a new study of the freeway. As for the freeway network predating transit planning, the editorial “hits the nail on the head—I propose that the highway plans be revised in the light of new transit planning.”

With the highway fund “rapidly being exhausted,” he questioned using its revenue on projects “whose necessity has not been proven.” Delaying action would preserve the city’s core and prevent disruption of “thousands of families for whom replacement housing is simply unavailable.”

At the same time, the editorial barely mentioned his concerns about education, health, welfare, crime, and other topics. All he wanted to do was make the District “a safe, pleasant, orderly city in which to live and work.”

In an editor’s note, the *Star* noted the Senator’s clarification that he did not mean to divert highway funds to other problem areas, as was “generally interpreted” from his words on the Senate floor. “The statement, in fact, did not say that, and we welcome his assurance that he intended no such meaning.” However, the editors “disagree firmly” with his proposal to refuse to appropriate funds for “a freeway system which is clearly essential to the well-being of the Nation’s Capital, and which Congress has consistently supported with appropriations.” [“Fund for Freeways,” *The Sunday Star*, June 6, 1965]

The District selected two firms to evaluate the traffic projections used in planning the freeway network. One was Alan M. Voorhees and Associates, founded in 1961 by a transportation engineer and urban planner. For 10 years, Voorhees had been with the Automobile Safety Foundation before founding his consulting firm, which was involved in subway design around the world, including in the District. The other was Wilbur Smith and Associates.

On June 9, Chairman Funk took a helicopter ride along the Baltimore and Ohio Railroad tracks to view the possible location for the North-Central Freeway. He said of the proposed 150-foot wide freeway “floating” on pillars 50 feet off the ground, “My off-the cuff reaction is that it could be done.” The *Post* reported:

If the B&O Route is chosen, it could be made a type of “transportation corridor,” he said, with space being set aside for rail transit to complement the freeway and railroad traffic. Since much of the building around the B&O tracks is commercial or industrial, it could blend in with such a transportation corridor, Funk said.

The consulting firm of Skidmore, Owings and Merrill was drawing sketches for the elevated freeway. Meanwhile, J. E. Greiner Company was conducting its review of the proposed location of the freeway along the railroad tracks.

Funk used the word “floating” to convey the idea that the elevated freeway would rest gracefully on its pillars in a way that would blend with the nearby neighborhoods. However, according to news reports, he was greeted by a delegation of about 15 “housewives” from Takoma Park and Silver Spring who protested the freeway. At one point, as Funk and aides discussed their helicopter trip with reporters, one of the housewives approached to stand next to him with a sign that read:

Mr. Funk: get down to earth . . . We need a Subway!

Funk told reporters that no decisions would be made until at least August when he expected to receive the Greiner report. [Flor, Lee, “Freeway Over B&O Line Called Feasible by Funk,” *The Evening Star*, June 10, 1965; Barnes, Bart, “B&O Route Studied for Freeway,” *The Washington Post and Times Herald*, June 10, 1965]

Rapid Rail Transit Gets a Hearing – Day 1

On February 17, 1965, Chairman Whitener opened hearings on rail rapid transit before Subcommittee No. 5 of the Committee on the District of Columbia. The hearing was called to consider the National Capital Transportation Act of 1965, H.R. 4822, a bill to authorize the prosecution of a transit development program in the National Capital region. In opening remarks, he called H.R. 4822 “one of the most important items that we will deal with in quite some time, insofar as the orderly development of the District of Columbia is concerned.” The extensive hearings in past years gave the subcommittee “a record of the community need and the information that would normally come to us” in much longer hearings. “And so, for that reason I am hoping that we can handle this matter with some dispatch,” while giving everyone a chance to express their views.”

(He pointed out that due to a death in the family, Representative Broyhill was unable to attend the hearing.) [Rapid Rail Transit for the Nation’s Capital, Hearings on H.R. 4822, before Subcommittee No. 5 of the Committee on the District of Columbia, U.S. House of Representatives, 89th Congress, 1st Session, February 17 and 24, March 3, 10, and 17, 1965, pages 1-2]

After brief statements of support from Representatives Mathias and Sickles, NCTA officials took their place at the witness table:

- Darwin Stolzenbach, Administrator
- Gerry Levenberg, Chairman, Advisory Board
- Howard W. Lyon, Director, Office of Engineering
- William I. Herman, Director, Office of Planning and Finance
- Owen J. Malone, General Counsel
- Edwin H. Seeger, NCTA’s former General Counsel, now retained as a consultant

Although Stolzenbach submitted a formal statement, he began his oral presentation by discussing how H.R. 4822 addressed the concerns that prompted the House to recommit the bobtail bill in December 1963:

Just briefly, the bill incorporates the labor protective provisions of the Urban Mass Transportation Act of 1964. It provides that the facilities authorized by this bill would be operated, under contract by private enterprise. And what is very important, the financing formula has been changed so as to provide a considerably less Federal investment in the program, and a larger local investment.

I want to add at this time an additional fact; namely, that is that the Agency and the highway departments of this area are now agreed on a comprehensive and balanced transportation plan for the region which includes the programmed highways of the highway departments and the rapid transit system. The highway departments, in fact, assume in their planning construction of a rail rapid transit system.

Stolzenbach discussed the scope of the proposed rail rapid system, as described earlier. In response to a question from Representative Harsha about financing for extensions of the system into Maryland and Virginia, Stolzenbach replied that H.S. 4822 addressed only the proposed limited network. "The extensions of this in our opinion have got to be worked out by the device of an interstate compact or by the localities in some way that we have not seen yet.

The financing plan called for \$150 million in appropriated funds split among the Federal (two-thirds) and District governments (one-third) in accordance with the formula in the Urban Mass Transportation Act of 1964. An additional \$281 million in capital funds would be raised by bonds. Counting \$52 million in interest charges, the total payout from system revenues would be \$333 million. The bonds would have to be issued before completion of construction and, therefore, would require additional security. The Federal and District governments would underwrite the \$333 million in bonds, "on a fully taxable basis, and that the ultimate responsibility for such underwriting be shared" by the Federal and District governments in the same two-thirds/one-third basis provided for in the 1964 Act.

Representative Harsha asked if the Federal Government would have to underwrite any additional financing for expansion. Stolzenbach said, "Nobody in the executive branch contemplates asking the Federal Government for any more money than the \$100 million that is proposed in this bill." He explained why he was confident of that statement. He expected the percentage of transit use compared with motor vehicles to increase from 40 percent at present to 48 percent "and still be not anywhere near as much as is experienced in the other rapid transit cities." One of the reasons NCTA felt so confident was that the plan included "certain safeguards in the financing plan." He said "the bond amortization period has been set at 41 years and could be extended to 50 years, thus reducing the yearly payments on the bonds." In addition, "a substantial cash depreciation reserve is provided for and could be used if necessary to meet debt service charges":

Now, the significance of these two factors is that if traffic does not meet expectations and if the proportion of persons using public transportation is as low as 41 or 42 percent—not the 48 percent which we have predicted—the debt service charges on the bond could still be met. This is the reason why the committee can be confident that the proposed \$100 million investment will be the Federal Government's total contribution to this system.

[Rapid Rail Transit for the Nation's Capital, Hearings on H.R. 4822, pages 40-46; the formal statement is on pages 47-58; Stolzenbach's February 1965 report to the White House, *Rail Rapid Transit for the Nation's Capital*, is reprinted on page 7-29]

After Stolzenbach completed his statement, subcommittee members began their questioning. Representative Horton of New York was concerned about safety in view of the "very high" crime rate on the New York City subway. Stolzenbach said "the policing of the subway facilities is the responsibility of the city police." In response to another question from Representative Horton, Stolzenbach said he did not have crime numbers for other systems, such as the Tokyo or Toronto subways. "I want to assure you, Mr. Horton, that we are quite concerned about the problem." He thought "it was really a little too early to go into it," but he promised to get the requested information.

Representative Horton asked about the difference in cost between the 1963 bobtail plan (\$401 million) and the current plan (\$431 million). Stolzenbach and Lyon explained that the new system was longer by about 1.5 miles and included three more stations. Lyons said:

In addition to that, we have analyzed it rather thoroughly over the past year with respect to operating procedures and we have invested some money in turnback points so as to get a more efficient operation. The trains do not have to go to the end of the line in all cases.

We have improved the operation by having all grade-separated junctions. By that I mean there is no crossing at grade of any track, when one line merges with the other. This in turn has called for a difference in the profile, if I can be explicit, which often backs up into the preceding station and requires us to have a multilevel station because the tracks cannot be quite at the same level.

Representative Horton wanted to know if there was "any prospect that the Federal Government get that \$100 million back." Stolzenbach said that "very far into the future," after the bonds are retired, Congress could possibly call for repayment from "growing revenues that could be used for that purpose."

What about monorail, Representative Horton asked. Stolzenbach said that NCTA had "not closed our eyes" to monorail or any other new technology, but had chosen "the modern version of a conventional steel wheel on steel track train." Virtually every other city in the world was using this same technology. "There is practically no doubt that at the present time this is the best technology"

Representative Horton asked if NCTA had worked out the plan with the local bus companies. Stolzenbach replied:

Mr. Horton, I must say that the situation that pertained 2 years ago still pertains. The management of the District of Columbia transit system has not indicated any willingness to sit down with us and discuss this matter at all. We have stood ready and do today at any time. [pages 59-62]

Representative Dowdy wanted a better understanding of the financing plan. NCTA's plan anticipated \$333 million in bonds. Was that in H.R. 4822? No, Stolzenbach explained, the President had said in his message that he would submit legislation in 1965 or 1966 seeking bond authority when it would be needed. Until then, the \$100 million in Federal funds and \$50 million in District funds would be sufficient to get construction started. When Stolzenbach referred to Federal Funds and District funds, Representative Dowdy offered a side comment: "actually I cannot see any difference" between them.

Representative Dowdy said he's heard "some talk" that after the bonds are retired, the District's contribution would be repaid. Stolzenbach had never heard that, "There is no authority in here for us to do that."

They discussed how fares would pay for approximately two-thirds of the cost of construction over 41 years. Representative Dowdy wondered if the legislation "might make it easier" by providing that the \$150 million should be repaid at that point. Stolzenbach said he would not object to such a provision, but added, "We just thought that was a long way off." Representative Dowdy told Stolzenbach:

It is a long way off. But in spending Federal money—in most everything around here they figure on getting their money back in 60 or 100 years and claim it a good deal. I think it would be a good deal if they get it back in 500 years. But I was wondering if that would be a good provision in the bill.

Stolzenbach replied only, "Yes, sir." [page 63]

Representative Ancher Nelsen (R-Mn.) agreed with Representative Dowdy, saying, "if the financing is as soundly planned as has been indicated, and if there is a chance that the bonds can be retired in the time allotted, then it would also perhaps enhance the prospect of the passage of the bill to indicate . . . that finally the Capital City and the Government would recover."

In view of the attitude of area bus systems, Representative Nelsen asked about the private contractor who would be brought in to operate the system. NCTA had not worked out the specifications, but Stolzenbach said the agency contemplated seeking bids and awarding the contract based on price and ability to do the best job. Could the contract be divided, so that one contractor might operate the buses while another would operate the subway? NCTA had not considered that but anyone who thinks he could manage the system would be considered. [page 64]

Representative Don Fuqua (D-Fl.) asked if expanding the system into Maryland and Virginia would "require major alternatives to the present plan?" No, Stolzenbach told him, the system was designed to be expandable. Lyon said that the proposed network included junctions at the points in the 1962 proposal that carried the lines into the adjoining States. [page 64]

In reply to a question from Representative Harsha, Stolzenbach confirmed that the operations contract would be based on negotiation regardless of bids. He also confirmed that the fare would

by 25 cents within the original 10-mile square of the District of Columbia, but would increase to 35 cents for two of the Maryland stations on the Baltimore and Ohio line.

Representative Harsha asked how many cars would be taken off the highways by the proposal. Stolzenbach said that about 14,000 cars would be replaced by transit going into downtown.

Had NCTA formally asked the area bus companies for comment on the report? Yes, Stolzenbach said, but only one, the smallest, had replied (WMA Transit Company serving passengers between the District and Prince George's County, Maryland). WMA indicated it was willing to discuss schedules. NCTA had sent the plan to O. Roy Chalk but he replied that he had written to President Johnson and that Stolzenbach should check with him to find out the answer.

[pages 65-66]

Representative George W. Grider (D-Tn.) asked about parking. What was to stop drivers who weren't using transit from occupying the free parking contemplated in the proposal. Various ways had worked in other cities to prevent that. Would the system have sufficient parking spaces? "We have put in as many as we thought the system could afford," but others could be added "if this proved desirable at a later time."

Would the contract allow the operator to increase the fare if he were not making profit at the current prices? Stolzenbach thought the system's owner, the Federal Government at this point, should determine fares. NCTA contemplated that the contract would pay the operator a "flat fee to manage the system." The Federal Government could change the fare if the fee exceeded revenue. He added that the public authority managing the system would probably make those decisions once it begins operation.

Seeger pointed out that this procedure was used for the system in Memphis and St. Louis. Representative Grider said that his experience with the Memphis system was why he raised the subject. The private operator wanted a higher fee every year:

There are, as you undoubtedly know, experts in the field who make a living from testifying in these cases. That is what concerns me. Inevitably if it is left to the operator he is going to want larger fees. If he works on a flat fee, I am concerned that he might begin to cut corners in the service. That is a problem we had better be prepared to face.

Stolzenbach assured the Congressman that "we would certainly provide service standards which we would require the operator to live up to." He also thought incentive could be written into the contract that would "give the manager some incentive to meet those standards, and to the extent that he can he may earn a slight additional fee to make it worth while for him to do so."

[pages 66-67]

Malone added that NCTA had not yet worked out the details of the contract, but officials were familiar with practices in Memphis and other areas. For the District, he said:

We do not contemplate a situation in which these facilities would be leased off – that is put under the ordinary type of control of the lessee that is associated with the lease. We contemplate an arrangement whereby the Agency would retain control of basic matters

such as I have covered here—including fares, including standards of service, including scheduling of service. [pages 67-68]

Representative O’Konski, a member of the full committee but not the subcommittee, was allowed to ask questions. “Being the culprit who is responsible for the motion to send this bill back to the committee,” he said, “I just have two questions I would like to ask.”

First, he recalled the “chaos as far as transportation was concerned” that resulted in Congress authorizing the 20-year franchise for Chalk’s D.C. Transit System, Inc. Congress made guarantees and assurances to the contractor, including a fair return on their investment, and the fact that the Federal Government would not finance any competition. His question was whether in passing H.R. 4822 and providing grants for a subway, Congress would be breaking faith with the contractor by setting up competition for the company. Stolzenbach replied:

I think the answer to that is “No,” Mr. O’Konski. This is not a system that is being set up in competition with the D.C. Transit Co. It is one that will supplement the service that he is providing under his franchise.

Representative O’Konski said that on the map displayed in the hearing room, “it looks to me like the 25 miles that you are going to build skims the cream off the milk and takes the gravy of the transportation.” How could D.C. Transit system “survive when you are going to come along and take 25 miles of gravy from them?”

Stolzenbach did not think the situation was as bad as the Congressman suggested. For example, the Connecticut Avenue line would overlap the bus service:

But what it will permit the company to do is to operate much more economically by turning back his buses from Chevy Chase Circle at our Van Ness Terminal, and in the morning rush period, where now one bus and one driver can make only one trip from Chevy Chase into downtown, that same busdriver [sic] could make three trips, round trips, between Chevy Chase Circle and Van Ness Street.

NCTA calculated that the loss of revenue would be offset by the reduction in operating costs.

Representative O’Konski’s second question actually was a request to Chairman Whitener that Chalk be invited to testify. He did not “want to be an obstructionist in this matter,” but he thought Chalk should be given an opportunity to comment:

Possibly they are for it. If they are, that will be wonderful. I don’t know what their reaction is going to be.

I strongly urge, Mr. Chairman, that they be given an opportunity to present their testimony and how this will affect them—because we are talking about balanced transportation, and if this is going to drive them out of business, you are going to have a worse situation than you have now.

[pages 68-69; Chairman Whitener ensured that the record included Public Law 84-757, approved July 24, 1956, granting the charter to D.C. Transit System, Inc., pages 70-76]

Chairman Whitener said later that, in view of the extensive prior hearings, he had hoped to limit testimony to government agencies. Others were invited to submit statements for the record. However, if the subcommittee wanted to invite Chalk, who had not attended the hearing, he would agree to do so. [Carper, Elsie, "Transit Plan Runs Into Chalk Block," *The Washington Post and Times Herald*, February 18, 1965]

The hearings would not resume until February 24.

Although Chalk was not there, George Lardner began his column on the mood at the hearing:

O. Roy Chalk's dapper shadow darkened the room, but the Capitol Hill Debut of Washington's new subway proposal still had its bright spots.

A young woman handed out orange pins reading "Support Rapid Rail for D.C." and red-and-white stickers reading "D.C. Needs a Subway."

Engineer Commissioner Duke joked with Stolzenbach about the freeways versus transit fight:

"I'm just going to go in there and tell them to torpedo the subway," Duke said outside the House District Committee's hearing room.

"Well, I'll just have to go in and say the hell with highways," Stolzenbach replied with a smile.

Both officials made clear they want to end the feud for good.

As for Stolzenbach, he had "kept himself in a cocoon since the House whomped an earlier subway proposal in 1963."

Chalk, Lardner wrote, preferred an all-bus system. "But if there is to be a subway, he wants Congress to hand it to him on a silver platter." As for whether Chalk would testify, Lardner quoted Chairman Whitener as saying:

I've no desire to cut anyone off, but I don't know whether [calling Chalk] would be helpful or not. It could be confusing.

Lardner concluded his column by warning that "NCTA officials had still better watch out if they don't want to end up in the back of the bus again." [Lardner, George, Jr., "Clouds Hover Above Hearing on Rapid Transit," Potomac Watch, *The Washington Post and Times Herald*, February 19, 1965]

As Lardner also pointed out, the White House had responded to Chalk's letter.

On February 15, Lee C. White, Associate Special Counsel to the President, had met with Chalk at the White House regarding the proposed subway system. After talking with "administration

people familiar with the proposal” and relaying “to the President some of the points which have given you concern,” White wrote to Chalk on February 18:

That there will be a subway in the Nation’s Capital is, I think, a matter no longer open for discussion. A decade of study, the 1960 act of Congress, plus the public commitments of Presidents Eisenhower and Kennedy, as well as President Johnson, indicate broad agreement that the increased population expected in the area, together with the greatly increasing traffic congestion, dictates that there be a subway system.

White acknowledged the uncertainties that the limited rail system posed for D.C. Transit System, Inc., but said that predictions “are always risky,” especially for a rail system that was at least 5 years away. The 1956 law granting the charter to the company included “explicit language . . . that D.C. Transit waives its claim for any damages for loss of franchise after 7 years.” However, White said, “there may be some rights that would be compensable after the rail system commences operation.” Therefore:

For these reasons the administration would interpose no objection to an amendment making it clear that nothing in the proposed legislation should be construed to deprive D.C. Transit of any right it may have to recover for any damages to it.

In closing, White said that “it seems only fair that there should be absolutely no question that the proposed legislation does not destroy any legal rights which the company may presently possess to recover damages.” [Rapid Rail Transit for the Nation’s Capital, Hearings on H.R. 4822, pages 239-240]

The *Star*’s editors referred to the letter’s line about there no longer being any question about a rail subway system. “It would be hard to imagine a more gratifying, or more timely, expression of administration policy on this subject.”

Unfortunately, the White House letter was not likely “to draw any applause from Mr. Chalk.” He had “been trying to scuttle the concept of a publicly constructed rail transit system from the start.” He contended, in a view that “virtually no one else” shared, that an all-bus system would be sufficient. But if the area needed rail rapid transit, he contended that the 1956 law granted him a vested right to operate it. Chalk’s views aside, White’s letter “shed some much needed light” on Chalk’s rights. The 7-year period during which Chalk’s company could claim damages for loss of franchise had expired 2 years earlier.

The editors hoped Chalk would testify to get his views “spread clearly and unequivocally on the public record” to forestall any misunderstanding when the bill reached the House floor. Chalk’s rights or role did not have to be settled now. Instead, the editors called on Congress to “quickly support” the bill. [“Transit and Mr. Chalk,” *The Evening Star*, February 20, 1965]

Separately, WMA Transit Company and the Alexandria, Barcroft and Washington Transit Company indicated they would bid for the right to operate the rail rapid transit system. Woodrow S. Miller of WMA said, “I want to have the right to bid on it as well as Chalk.” He added that WMA “paid more taxes than D.C. Transit” because of tax exemptions granted by the

1956 Act. [Flor, Lee, "Private Bus Owners Want Bids on Subway," *The Sunday Star*, February 21, 1965]

Rapid Rail Transit Gets a Hearing – Day 2

As Subcommittee No. 5 prepared to hold a hearing on February 24, the morning *Post* carried a Potomac Watch column about the uncertainties regarding the financing plan. Lardner began, "Don't trade in your cars just yet. A ride on Washington's proposed subway system is still a long way off." At present, the source of the money for the plan was "not even clear." Further, "Federal officials are still fussing about how much Federal support" the plan should receive or whether the Federal Government, the District, or the compact agency should issue the bonds. As a result of the indecision," the bill was silent on how the funds would be raised beyond the \$150 million in appropriations.

Although Stolzenbach had testified that the \$333 million in bonds would be guaranteed by the Federal and District government, the White House reportedly had not "definitely committed to the bond underwriting formula." President Johnson had said he hoped the regional compact agency would be established before the \$150 million in grants ran out and could then issue the bonds.

Officials developing the compact were close to announcing "the proposed 75-page compact," but one of the negotiators, Representative Sickles of the JTC, said, "Part of our delay has been in getting a Federal consensus. But we can't solve that now." Some officials thought the Federal share in the matching ratio should be higher in view of the unique status of the Federal Government in generating traffic and congestion. In view of the uncertainty, the financing formula probably would not appear in the compact. State Senator Fenwick explained, "If we put in a financing formula and Congress didn't approve, then we'd just have to start our work all over again."

Lardner concluded his column:

Whatever happens, it seems rather startling that Federal officials should still be hemming and hawing about whether mass transit in the Washington area should get more Federal-aid than mass transit in Podunk. They ought to know the difference by now. [Lardner, George, Jr., "Subway Financing Agreement Is Elusive," Potomac Watch, *The Washington Post and Times Herald*, February 24, 1965]

Senator Tydings was the first witness when Subcommittee No. 5 began its hearing at 10:20 a.m. He offered strong support for H.R. 4822, calling it "perhaps one of the most significant measures before this Congress" as far as his constituents were concerned. Everyone, including highway officials, agreed that highways could not answer all transportation needs in the region. If it "is our desire to bring the Great Society to our doorstep, this is one place we can start. Now." [pages 97-99]

The next witness, Engineer Commissioner Duke, supported H.R. 4822 on behalf of the District commissioners. "As staunch proponents of a balanced transportation system, we urge timely and

favorable action on this bill.” The District’s highway program would “provide only the essential minimum basic framework of the total transportation requirements.” He agreed with Senator Tydings “that in an urban community such as ours, there is a limit beyond which highway construction should not proceed because of its impact on the District inhabitants generally.”

The District’s highway program, which was predicated on a balanced transportation system, had “reached that point” and he did not expect any increase in mileage, even though population and automobiles would continue to increase. “It is evident that a comprehensive mass transit system is required and every effort must be made to provide it.”

General Duke regretted that some area residents still did not believe that “at least informally, a basic coordinated transportation plan has been developed” that was generally supported by all regional officials. The President and Congress also generally supported the highway network, but there was a problem:

Having seen only highway construction to date, many people have apparently concluded that a rail transit system will never be implemented unless they block the highway program. Now is the time for Congress by prompt action on this bill to assure these well-meaning residents that their fears are unwarranted

Congress now has the opportunity to provide the leadership for such a comprehensive community attack on our transportation problems by prompt favorable action on this bill, H.R. 4722, by early favorable action on the proposed District of Columbia gas tax increase and related loan authority, and by general support of the current coordinated highway and mass transit programs.

He emphasized that the District commissioners were in agreement with the cost-sharing formula for the grants and additional borrowing authority:

In proposing that the District finance the required initial grants, the District faces on the one hand, the urgent need for a rail rapid transit system and on the other hand, limited ability to divert current revenues to this purpose. Present District tax sources are, and will continue to be, inadequate to provide large grants for this project. Accordingly, we see no means of providing the District grant other than by increasing its loan authority as proposed in H.R. 4822, and borrowing from the U.S. Treasury in the amount of the required grant and repaying the loan over a 30-year period.

He concluded:

The highway program is underway but it cannot do the job by itself. Our transportation demands require the immediate implementation of a rapid rail transit system. And now is the time to start.

After representing the District commissioners, General Duke provided a separate statement as vice chairman of the Washington Metropolitan Area Transit Commission, the area’s bus regulators. On January 26, 1965, the commission had endorsed NCTA’s 1965 transit

development program, with the caveat that it had “some reservations as to the overall financial conclusions reached in the plan.”

Since then, members had met with Stolzenbach, who assured them that the plan was not intended to interfere with the compact entered into in 1960 creating the commission to regulate bus companies. On behalf of the commission, General Duke recommended the addition of language to H.R. 4822 stating:

Nothing in this Act shall be construed as altering or amending the Washington Metropolitan Area Transit Regulation Compact.

This amendment was proposed “strictly as a safeguard and as a clarification of the intent of Congress.” It was, in addition, “completely harmless to the purpose of the proposed legislation.”

General Duke assured the subcommittee:

The Commission pledges its full cooperation with the NCTA, or its successor agency, in the coordination of bus service with the proposed rail operations. If it is subsequently determined that it is necessary to amend the [Washington Metropolitan Area Transit Commission] compact to effectuate the required coordination between rail and bus operations, appropriate amendments will have the support of our Commission.
[pages 100-104]

Representative Horton asked for clarification of the statement that the District did not have the means of providing its \$50 million grant. General Duke replied that \$50 million was a sizable amount that would be required immediately to get construction underway. “We do not have the financial resources at the moment to collect additional taxes of this magnitude in the time frame that they would be required, except by an extension of our borrowing authority” If the final version of H.R. 4822 did not include a provision extending the District’s borrowing, “we are not quite sure how we could provide the money at this time.”

Representative Horton, recalling his discussion with Stolzenbach about crime in the subway, asked if the District agreed that the District would provide policing for the system. General Duke said the District commissioners agreed that anything that might aggravate crime in the city “should be planned for and very carefully evaluated.” In view of that discussion during the hearing, Stolzenbach and the District’s Chief of Police had met on February 19. They did not agree on a specific plan, such as how many police officers would be needed, but “all of us are generally of the opinion that this problem can be met in the time that is remaining before the problem actually is with us.” He assured Representative Horton that the District commissioners “agree with you as to the necessity for facing up to this and solving it, and at the same time we are confident it can be solved by the time it is required.”

General Duke had not stated that policing would be a city responsibility. Representative Horton asked the question directly. General Duke told him, “I hate frankly to evade your question,” but officials had not yet agreed on “any specific division of responsibility in this matter [between] the

Metropolitan Police force and the Agency that would be operating this system.” He promised he would send a letter to the subcommittee before the hearing record closed on March 1.

(On March 5, he wrote to Chairman Whitener on several matters including policing. The District commissioners agreed that the Metropolitan Police Department would assume responsibility for policing the rapid rail transit network within the District’s borders. Maryland and Virginia would have to assume responsibility for segments in their jurisdiction. The city was talking with the two States about “extraterritorial jurisdiction for Metropolitan Police into other jurisdictions,” as might be needed. The city also was talking with NCTA about the size and cost of “manpower requirements” for policing the system.) [pages 105-107; General Duke’s March 5 letter is on page 223]

Representative Roudebush asked General Duke about legislative activities in Maryland and Virginia regarding a transportation system for the District. In addition to the 1960 transit regulation compact, General Duke said that Virginia had enacted a law establishing the Northern Virginia Transportation District “to provide an organizational structure that would fit into a subsequent interstate compact” for rapid rail transit system. Maryland was considering two bills. One would establish a transportation district to correspond with the district for northern Virginia.

The other would approve the interstate compact that had not yet been announced:

The whole compact, if these plans materialize . . . would take advantage of the establishment of the corresponding organizations in Maryland and Virginia to lay the basic framework for the operation of the rail transit system that we are discussing here today.

Maryland legislators were not considering financing. Further, the compact would not address the financing, because the role of the compact agency in financing had not yet been announced. However, the compact would set up “a basic framework which would accept future financing proposals without a basic modification of the compact itself.”

Representative Roundebush wanted to know if the jurisdictions wanted Congress to proceed with H.R. 4822 without waiting for approval of the compact. Yes, General Duke replied, “it is our very strong recommendation that Congress proceed to enact H.R. 4822 into law in the environment in which we exist at the moment”

If Maryland or Virginia rejected the compact, Representative Roudebush asked, “You would be stymied to an extent, would you not?” General Duke referenced President Johnson’s statement that the compact agency would be needed when the system became operational, which was still several years in the future. If a compact had not been approved by then, President Johnson would submit legislation “with alternative recommendations.”

Representative Roudebush asked if Maryland and Virginia would be willing to participate financially. General Duke could not reply about the intent of either legislature, but in talking with State officials on the JTC, “this has been a basic assumption under which we have been discussing this compact.”

Representative Broyhill, in attendance after missing the initial hearing, interrupted to say that local jurisdictions had agreed to pay a share of NCTA's 1962 proposal and "have recognized that any extension of this system into the suburbs is going to require local financing contributions and justly so." Representative Roudebush said, "I am delighted to hear that."

Representative Sickles followed up on Representative Broyhill's comment about Virginia. "I would like to say the same for the State of Maryland." He anticipated that the State would set up a special taxing district for financing the State's share. Representative Roudebush concluded his question period by saying, "That is fine." [pages 107-109]

Representative Broyhill was the next questioner. In view of General Duke's comments about the "old fight between the so-called highway users and rapid transit advocates," Representative Broyhill asked if the District would abandon any proposed highways if H.R. 4822 were enacted. "No, sir," General Duke replied. "I cannot think of any at the moment." The city's freeway network had been designed with rail rapid transit in mind:

It is our conviction that the requirements for travel in the metropolitan area at the end of this century are so tremendous that our completely planned highway system and this rail system and the most efficiently organized bus system that can be devised, can all be brought to bear and still we will have a traffic problem.

Representative Broyhill stated that the new river crossing, which he described as "let us say a bridge upstream from the Theodore Roosevelt Bridge" because he did not want to call it the Three Sisters Bridge, could not be abandoned, "can it?" General Duke replied, "In my judgment, no, sir." Travel in the I-66 corridor "requires both elements of the transportation system." It would require "the full exploitation of the new Theodore Roosevelt Bridge, which obviously is not being exploited to its capacity today, and it will also require every particular capability of this particular rail system with which we are concerned today."

General Duke added that some people might think the corollary would be true, too, namely that if Congress did not approve the rail rapid transit system, more highways would be needed to meet demand:

I wanted to emphasize the fact that this is a very densely populated urban area and we on the Board of Commissioners, and I as Engineer Commissioner, want to acknowledge that there is this limit that Senator Tydings referred to a while ago, beyond which you should not go in building highways and freeways in an urban community.

Now, where this limit is, of course, is a somewhat arbitrary decision, but we think we have reached that limit, and I wanted to make that clear. [pages 109-110]

Representative O'Konski was concerned about price escalation. For example, he said the Jefferson Memorial was expected to cost \$3 million, but cost \$9 million. The Pentagon cost \$87 million, not \$21 million as expected at the start. The \$27 million New House Office Building ended up costing \$125 million. He added that "we have had experience in building underground railways right here in the Capitol":

It cost us \$7,700,000 to build a 300-foot underground between the Rayburn Building and the Capitol, and 5 years for the construction. This is roughly \$26,000 per foot, where the terrain is good, where all the land, right-of-way, was free, and any damage that it did, the taxpayers made up.

And here you come along with a proposal telling us that the tunnel that you are going to build is going to be larger, and with more stations, including parking lots, and you tell us you are going to build that for \$3,300 a foot, when it cost \$26,000 per foot right here in the Nation's Capitol.

Representative O'Konski stated that the cost "is going to be worse than" \$3,300 a foot.

General Duke said he did not want to evade the question, but hoped the Congressman would "forgive me for the evasion that I will have to give to the answer." NCTA had developed the engineering estimates. The Board of Commissioners had examined the estimates "in a rather general sense," not into engineering detail. Instead, the board relied on NCTA's estimate not only of construction costs but usage and revenue. "At least our Board does not have the capability at the moment to indicate that they are in error"

Representative O'Konski ended his question period with the observation that, "If I were convinced it could be built for \$431 million, I would vote for it. [pages 110-111]"

Representative Dowdy said his understanding was that the local transit company was grossing \$32 million a year and NCTA was projecting \$32 million in gross business per year. Was this \$32 million in subway revenue entirely new business or was it taken from the local transit company's revenues? General Duke did not know, but recalled that Stolzenbach had said that by realigning routes, the result would not be a significant change in the bus company's overall financial condition.

Representative Dowdy admitted he did not understand Stolzenbach's point, but thought that the only way D.C. Transit System, Inc., could continue doing \$32 million gross business per year was if the subway generated \$32 million in new gross business – "would there be a doubling of traffic?" General Duke could respond only that he could not confirm the amounts the subway was expected to generate or what the bus company's revenue per year was.

Representative Dowdy turned to the policing of the rapid rail system. Based on experience in Chicago, New York, and elsewhere, he wondered what precautions might be needed to cope with crime in the Washington area subway. General Duke could reply only in general terms:

The only feeling I have for that is that the stations will be designed particularly to eliminate the dark areas, you might say, to have them as open as possible, and as fully lighted as possible.

Stolzenbach also had indicated that closed circuit television might be included in the stations. "I am only saying in a rather general way that thinking has been directed to this problem, although the specifics on how this problem will be met have not been [made]."

Representative Dowdy tried to engage in a detailed discussion of costs and revenue, but General Duke had to say he did not have the technical knowledge “to comment wisely on the facts.”

Representative Dowdy, in trying to rationalize NCTA’s passenger numbers, pointed out the experience in Toronto, which opened its system in 1954. The first year, the system carried 320 million revenue passengers. However, that figure declined steadily until 1961 when the system carried 267 million passengers. The number increased by 1 million passengers after the system opened several extensions:

So they have had a continual falling off of passengers—revenue-paying passengers—since this thing was put into operation.

Now, at the same time that the system was experiencing this downward trend in revenue passengers, the area was experiencing a growth in population amounting to 38.4 percent. And as if it is of any benefit, it can be noted that during the same period the automobile registrations increased parallel with the population growth, around 40 percent.

As his time expired, he wished someone could explain these facts. [pages 111-117]

Representative Grider changed the subject. What would happen to the city if the rail rapid transit system were not built. General Duke replied “that the long-range future of the downtown business core in Washington will not be too bright.” Would it result in stagnation of the core of the city? “I do not think there is any question, sir, that by the end of this century grave adjustments would be made between the business community farther out from Washington and our downtown core to the disadvantage of the District of Columbia.”

Has the stagnation at the core of most large cities in the Nation been caused by inadequate transportation? General Duke said that whether it was caused by transportation or not, “this is the external manifestation of it, of course.” Congestion was caused basically by people trying to get downtown and how they got there.

If downtown stagnated, how would it affect crime? It would have “a deteriorating effect on the general environment.”

Representative Grider asked what would happen if New York City stopped the subways. General Duke replied, “I think that would be too terrible to contemplate.”

Did General Duke have “any alternative solution” to transporting people in and out of the city other than a subway? Some alternatives had been proposed, such as monorail or bus-only transit, but General Duke said, “I cannot help but feel that a reliance on such a system, any of those, would be unwise, because in the long future the requirement to transport people and goods is so staggering as to transcend the capacity of any of these modes of transportation.” [pages 118-119]

Deputy Director Staats of the Bureau of the Budget was the day’s final witness. He stated that “it is essential to have the rapid transit program for this area, because of the Federal Government’s interest and because this is essential to the preservation—I use that word advisedly—of the beauty of the Nation’s Capital.” The Federal Government was the area’s dominant employer,

with 275,000 employees living in the area, 180,000 of them living in the District. “So the Federal Government has more than the usual interest in the development of an adequate transportation system for the metropolitan area.”

His prepared statement indicated that NCTA’s financing plan was “both feasible and consistent” with the congressional mandate in the National Capital Transportation Act of 1960. Considering how to fund the project beyond the \$150 million in capital contributions would be inappropriate at this time. That amount would “enable the program to get underway immediately and will supply all the funds needed until near the end of fiscal year 1968.” By then, an interstate compact should be in place that could be vested with authority to issue bonds. If local jurisdictions did not reach agreement on an interstate compact, the Administration would submit an alternative financing plan to be administered by a corporation. But H.R. 4822, wisely, did not address these issues. The presently proposed system “can stand on its own feet financially.” As a result, Congress did not need to address financing for extensions at this time or in H.R. 4822.

Further, the Bureau of the Budget considered the provisions on a private operator and labor relations to be appropriate.

In conclusion, he stated that three successive presidential administrations believed the “region urgently requires decisive action to provide a balanced transportation system.” The highway program, financed under the Federal-aid highway program, “is moving forward and its future progress is assured.” However, the success of that program depended on the assumption that “an efficient and effective mass transportation system would come into being.” H.R. 4822 would “furnish a similar assurance that the mass transit system needed to complement the highway system will also move forward promptly.” He urged early and favorable consideration of H.R. 8422. [Rapid Rail Transit for the Nation’s Capital, Hearings on H.R. 4822, pages 127-129]

During the question period, Representative Broyhill wanted to get the Johnson Administration on record that to be “completely and ultimately workable satisfactorily, we will have to extend it further out into the suburbs, and it would be part of this overall program and would require to some extent some Federal assistance.” Staats said the system covered by H.R. 4822 “would be self-supporting; it would pay out with the \$150 million grant that is provided.” It was developed to lend itself to extensions into Maryland and Virginia. The Federal Government’s interest extends beyond the District of Columbia:

It has never been stated in terms of the District of Columbia as presently delimited. So I think in principle we recognize that the Federal Government does have an interest and responsibility outside of the District of Columbia, which should prevail, as the system is extended.

The specific financial arrangements would have to be worked out when the extensions are planned based on conditions at the time:

But we believe that the practical thing to do now is to develop this system as contemplated in this bill, and then we can work with the compact negotiators or other authorities as time goes on in developing this principle.

Representative Broyhill said he brought this up because when the program gets to suburban extensions, Members of Congress from other parts of the country “might well think this is a local matter . . . and that there is no greater Federal interest involved than there would be in some other section of the country.” Anticipating the debates, he wanted to make clear that the rail rapid transit system was for the national capital region, “and not three separate State or several separate political subdivisions or we will never solve the problem.”

Staats pointed out that the National Capital Transportation Act of 1960 had called for negotiations throughout the region to develop an interstate compact. It was a difficult process, but in the meantime, “we are developing something here which will fit in with the interstate compact organization if it comes about.”

Representative O’Konski understood that the Federal interest in H.R. 4822 stemmed from the presence of the Federal Government in the capital region. At the same time, cities around the country would like to have similar treatment:

Don’t you think a better answer would be to decentralize, particularly when we know that one bomb dropped in the Nation’s Capital will wipe out our complete Government?

For example, the U.S. Forest Service and the Bureau of Land Management owned extensive lands around the country. “What are they doing in Washington?”

Staats replied:

There are only about 10 percent of the Federal employees here There is a policy in the executive branch to locate every activity outside of Washington that is adjudged to be able to function effectively outside I would like to emphasize again that many of these operations are headquarters-type operations, they cannot be performed effectively outside.

Representative O’Konski did not know of a single city that would not welcome Federal agencies without asking the Federal Government to pay for its needs. Even with the per capita income in the Washington area, “they are asking the Federal Government to put up the formula of 2 to 1.” Staats replied that the matching ratio was the same as “we have in national legislation . . . it is exactly the same pattern.” [pages 129-134]

On February 26, Representative Sickles unveiled the draft interstate compact negotiated by the JTC for the rail rapid transit system under consideration in Congress and its extension into the suburbs. The premise was that, “the provision of transit facilities and service is primarily a function of local government.” The draft compact called for an organization called the Washington Metropolitan Transit Authority with a six-man board of directors consisting of two each from Maryland, Virginia, and the District of Columbia. This would assure the authority, which would absorb NCTA over time, was “politically responsive and publicly responsive” in running the system.

For operation of the system, the compact required the authority “to negotiate such an operating contract with all interested parties, including private transit companies now operating in the

established zone.” The Washington Metropolitan Area Transit Commission would continue to regulate bus companies in the area, but the compact authority would control rates and service for the rail and subway facilities in the area. The compact included labor protections similar to those in H.R. 4822.

Referring to President Johnson’s transmittal letter calling for an interstate compact, Representative Sickles said, “We are moving now to make the President’s hope a reality.” Legislation to approve the compact was to be introduced in the Maryland House of Delegates and would be introduced in the Virginia legislature when it convened in 1966. Upon approval by the two States and the District commissioners, the compact authority would take over for NCTA.

Representative Sickles urged Congress to approve H.R. 4822:

It would be a shame if anyone should feel we should wait to start digging until the compact is approved. There is no spirit of competition with NCTA. We are working hand-in-glove.

NCTA Deputy Administrator Quenstedt denied rumors that his agency opposed the compact idea:

[This] agency has never opposed the creation of a regional authority. We cooperated in preparation of the compact.

NCTA is very pleased to see the progress that has been made and we look forward to the day when the regional agency comes into being. It is absolutely essential to create a regional subway system and the authority provided by the compact will be the device for doing this.

State Senator Fenwick, who had been part of the negotiating team, said he was confident Virginia would approve the compact, calling it “practical and necessary.” The bobtail plan in H.R. 4822 was “totally inadequate” to meet the area’s overall needs. “However, we must get a start.”

General Duke called the compact an important “part of the major plan” for rail rapid transit that the area “so urgently needs.” He did not expect “too much difficulty” in securing approval by the District commissioners.

Gregory B. Wolfe, the White House representative on the negotiating commission, said the compact would help make the Nation’s capital “the great American city and part of the Great Society that Washington should represent in transit as well as in government.” Local action on the interstate compact would be “a test of the willingness of local governments to meet their responsibilities in handling an essentially local problem.” If local officials did not approve a compact, the alternative to a regional authority was a Federal corporation to complete the system.

In that case, suburban residents would have little voice in where the lines go or their operation. “Also, there is no assurance Congress would be willing to pay for extension of the lines beyond the District of Columbia.” [Pierce, Charles D., “Interstate Pact Sought to Spur Transit System,”

The Evening Star, February 26, 1965; Asher, Robert L., "Transit Agency Pact Approved," *The Washington Post and Times Herald*, February 27, 1965]

Rapid Rail Transit Gets a Hearing – Day 3

When Subcommittee No. 5 resumed its hearing on March 3, Architect of the Capitol Stewart was the first witness. As a member of the Commission for the Extension of the Capitol, he was concerned that a portion of the rail rapid system would be built within the boundaries of the U.S. Capitol grounds with a subway station under the Capitol Plaza. No such construction should take place, he said, until the commission had studied and approved the location, as provided for in Section 3(b)(10) of H.R. 4822:

In view of the statutory provision and the fact that studies have been made and proposals considered for underground developments in the Capitol Grounds, it is considered only proper that any improvements, either underground or above ground, should be made only after consultation with, and approval by, this Commission.

He was concerned that as drafted, H.R. 4822 called for construction of NCTA's plan and did not permit an alternative location if the commission did not approve construction under the Capitol grounds.

Chairman Whitener pointed out that during hearings in 1963, Stewart had suggested the very language that had been included in H.R. 4822. Stewart agreed, but added that he now thought a line should be added to H.R. 4822 in case the commission did not agree with the location.

Representative Harsha raised the issue of NCTA's consultation with other agencies. "Here again this year they have not consulted with you." Stewart agreed that all he had was the map in NCTA's prospectus. "I have no details of depth, positive location as far as measurements are concerned or things like that. I have nothing more than a directional line right now on the map."

Chairman Whitener interrupted to ask if Stewart meant that NCTA had not consulted with him this year. "Did you not have a conference with them just a few days ago." Stewart replied, "Yes, sir; day before yesterday by phone; yes, sir."

The chairman pointed out that plans for the location in the vicinity of the Capitol grounds are not definite. Under H.R. 4822, "that will be resolved later by your Commission because it has absolute authority to decide whether there shall or shall not be any part of this facility constructed within the U.S. Capitol Grounds." Stewart agreed that the chairman was correct.

Representative Harsha said his point was that Stolzenbach had testified that he consulted with all interested parties, but "I question now whether this has actually been done. Certainly the Architect . . ." Chairman Whitener interrupted to say he did not follow the point since H.R. 4822 included the very provision Stewart had requested "so it does not seem to me there is any point of discussing it at this time as to where it will be here because . . ."

Stewart, trying to back out of the dispute, tried to clarify that as a member of the commission, "I am perfectly satisfied with the bill as it is drawn now." He was simply concerned that as the

bill was worded, if the commission rejected routing under the Capitol grounds as currently indicated in the NCTA report, H.R. 4822 might not have the flexibility to allow a different location.

In the absence of further questions, Chairman Whitener thanked Stewart for his testimony without further consideration of his point. [pages 149-152]

The next witness, Chairman Rowe of NCPC, said NCPC owed Congress “a great debt of gratitude . . . for its wisdom” in setting up NCTA in 1960 before the community was ready for a rail rapid transit system. It was a pioneering effort, but “now the community has caught up, and it is marvelous to be here to support a planning program which has just about universal support.”

NCPC, which had been “unswerving in its conviction that rapid transit is essential” to the region, strongly endorsed H.R. 4822. “Good mass transportation will be essential” as employment in the area grows:

We feel that this system, with further extensions into the neighboring jurisdictions, will make a major contribution to the solution of our transportation needs and can be relied upon to provide a necessary service and still preserve the beauty and character of the city with a minimum of disruption of the homes and businesses of the people who live here.

No one had any questions for her. Chairman Whitener said, “it seems that you have been a very convincing witness.” [pages 152-154]

Chairman Babson of the Northern Virginia Transportation Commission, then still in the organizational stage, told the subcommittee:

The rail rapid transit system that would be authorized by H.R. 4822 is inadequate, particularly for northern Virginia. However, the plan represents that all-important phase of rapid transit development—a start. If we do not start, we can never finish.”

After discussing the commission’s role and the need for extensions into Virginia, Babson said:

In summary, there is a great need for rapid transit in northern Virginia. We must not delay any longer in getting started Therefore, on behalf of the estimated 643,098 residents of its transportation district, the Northern Virginia Transportation Commission endorses H.R. 4822.

Babson said that in previous hearings, a question had been raised about whether the suburban areas would be willing to pay their share for extension of the system to serve their area. The answer, he said, is yes as reflected in creation of the Northern Virginia Transportation Commission, which would participate in the interstate compact that would supersede NCTA. “I believe the affirmative answer is further amplified by the enthusiastic participation in our commission” by area cities and counties. “We are prepared and anxious to begin planning extensions of the NCTA rapid transit system into Virginia, because we are fully aware of the need for fast, high-capacity rail service, and we are already undertaking to preserve needed rights-of-way.”

Representative Harsha asked if NCTA had coordinated with the commission. When Babson said that he had “countless” talks with Quenstedt, Representative Harsha asked about NCTA’s outreach to other agencies. Babson confirmed that, “NCTA this time has really worked closely with the local jurisdiction.” Representative Harsha had no further questions.

Representative Roudebush was confused by Babson’s statement that his commission was securing right-of-way for the Virginia extension. Was he referring to the design routes of the rapid transit system? Babson clarified, “Actually the one I refer to right now is not one that NCTA had planned for an extension, although I believe personally that it is one. I am talking of the W. & O.D. right-of-way with which Mr. Broyhill is familiar, and I believe that in the future this will be needed for an extension of the NCTA system.”

Representative Sickles wanted to reemphasize that the purpose behind creation of the Northern Virginia Transportation Commission was “to provide a vehicle by which the contribution is made by Virginia.” Babson replied, “I feel that is true, Mr. Sickles.” [pages 155-159]

Rapid Rail Transit Gets a Hearing – Day 4

In early March, the *Post* and *Star* reported that O. Roy Chalk, in anticipation of his March 10 testimony before the subcommittee, was circulating a memorandum on Capitol Hill. It disputed Stolzenbach’s testimony that the rail rapid transit system would benefit D.C. Transit System economically because the company could focus on the more lucrative suburban lines.

There was a suggestion at the hearings that it might be possible to operate publicly-owned rail transit lines in the National Capital region without damaging the operation of D.C. Transit. Any such thought is unrealistic.

The damage was not simply from the loss of passengers. “The availability of a different mode of service will have far-reaching effects upon the riding habits of the entire area.”

Instead, the damage would begin as soon as H.R. 4822 was enacted because the threat of loss of passengers, even termination of the company’s charter, would cause its property to lose value and make it impossible to obtain loans for expansion:

[All] future planning will have to be suspended. Improvements and expansion of service will have to be suspended. Purchase of new equipment will be impossible. And the present equipment maintenance and replacement programs will have to be reviewed.

Congress, in approving his company’s charter, had pledged to maintain interest in the company’s and the stockholders’ interest if the company provided “a good public transportation system.” D.C. Transit System had done its part and now Congress “must keep the faith” with the company.

The memorandum recommended amending H.R. 4822 to compensate D.C. Transit System for the damages it would sustain or provide for a public takeover of his company and others in the area. If not, “utter chaos will exist in mass transportation in the National Capital Region.” Compensation should be based on the amount of revenue the companies received with the

subway in operation compared with earnings in prior years that were expected to increase 3 percent annually.

If Chalk had to sell the company, he would insist on fair market value. The memorandum estimated that the sale price would be \$63 million.

In responding to inquiries from reporters about the memorandum, Chalk denied that he wrote it. He had not authorized anyone to circulate a memorandum on Capitol Hill. It was “unauthorized,” he said, adding, “We have not as yet decided upon our position.” [Flor, Lee, “Chalk to Present Views At Rail Transit Hearing,” *The Evening Star*, March 3, 1965; Carper, Elsie, “Compensate D.C. Transit for Losses Under Subway Bill, Chalk Memo Urges,” *The Washington Post and Times Herald*, March 4, 1965]

On March 10, Chalk appeared before the subcommittee. He began with “a simple philosophy of being cooperative”:

Our first point is based upon a simple philosophy of being cooperative. We do not wish to oppose the program of the President. We do not wish to oppose the desires of the public. We do not wish to oppose the principle of establishing a subway system predicated upon sound financial precepts. We, therefore, do not wish to oppose H.R. 4822. We wish, however, to suggest several reasonable amendments.

A *Star* editorial a few days later would say of this opening that when Chalk assured the subcommittee of his “cooperative” attitude toward a rail transit system, “no one keeled over.” That was because:

For everyone knew what was coming next. Without a moment’s hesitation, Mr. Chalk ripped into virtually every feature of the administration bill which is specifically designed to achieve a rail transit system. [“Mr. Chalk on Transit,” *The Sunday Star*, March 14, 1965]

He wanted an amendment indicating that the company would not be deprived of its anticipated earnings. He said NCTA’s financial projections, including the cost of construction and likely revenue, were “grossly unrealistic and fallacious.” He did not believe the subway would relieve congestion or bring more shoppers downtown; he recommended an amendment that, if his prediction proved correct, would halt extension of the system. He also indicated that H.R. 4822 did not project “a private enterprise venture in the ordinary sense of a businessman’s concept”:

Accordingly, under H.R. 4822, the D.C. Transit System would decline to operate or bid to operate the new subway system. The NCTA plan is, pure and simple, a public ownership and public operation plan with an employment-contract management arrangement. This is of no interest to us.

In view of the company’s concerns about compensation, “we felt impelled to discuss them with the President and members of his staff at the White House.” His impression was that “the administration is sympathetic to the principles contained in our proposals and they will not object to an amendment of H.R. 4822 which adopts the principle either of the two proposals.”

Chalk made those points at the start of his 25-page presentation, and then elaborated on each one, before concluding:

D.C. Transit system is not opposed to H.R. 4822. But, to fulfill the pledge made in 1956 by Congress in D.C. Transit's franchise to the effect that "Congress would maintain a continuing interest in the welfare of the company and investors," we respectfully ask the protection of Congress in the form of an amendment to H.R. 4822 which would assure D.C. Transit of compensation for such damages as it may suffer, an assurance suggested by the President of United States. [pages 190-201]

Representative Dowdy began the questioning by following up on Chalk's comments about the projected cost of the subway. Did Chalk have something to back his judgment that it would cost four times more than the estimate instead of twice as much, as often was the case? The problem with government estimates, Chalk replied, was that often they were made by people with no practical experience. That was true of Stolzenbach and Horsky, neither of whom had any experience in construction or operation of a transit system.

Experts compared subways "to a projectile that is going up—a lot of noise is made about it before it goes up and takes off and then it peters right out." He said that "it is my considered opinion that it will not do the miracle that has been proposed. That is, as had been proposed, that there would be double the number of passengers available in the area and they would take at least half the present number of passengers available for transit in the area."

As for Stolzenbach's claim that D.C. Transit System had not been cooperative, Chalk said that Stolzenbach had come to him only after the plan was complete and presented "as a fait accompli." It was a "pure formality on his part." Chalk, had he been asked, would have shared his views on the cost of construction and operation.

Representative Dowdy also asked about Chalk's concerns about private operation of the rail rapid transit system. The difference, Chalk said, involved "NCTA's impression of private enterprise and a businessman's impression." NCTA thought that private enterprise meant that a private individual was involved. "Private enterprise is more than just employing private people to work for you." [pages 201-203]

Representative Harsha asked about Chalk's claim of potential damages. Under Section 2 of the charter dating to 1956, D.C. Transit System waived its claim for damages for loss of the franchise after 7 years. The Congressman asked Chalk to explain how the company, which had been in operation longer than 7 years, could claim damages.

Chalk said that when he was negotiating the charter, he wondered the same thing, but he was told to read on. They told him, "Mr. Chalk, if you and your company do a good job we will maintain a continuing interest in your welfare. We want you here. We would like you to do a good job. Don't worry about [the earlier clause]. This is merely a technicality which is taken care of by section 4." Section 2 must be read with Section 4.

Representative Harsha disagreed because Section 3 was so specific, but Chalk referred to Lee White's letter that had assured Chalk that "the proposed legislation does not destroy any legal rights which the company may presently possess to recover damages." Representative Harsha did not dispute that there would be damages, but he pointed out the phrase in White's letter "legal rights which the company may presently possess" that left open whether any rights remained. [pages 203-205]

Representative Harsha and Chalk were discussing provisions of Public Law 84-757, "An Act to grant a franchise to D.C. Transit System, Inc., and for other purposes," approved July 24, 1956:

- Section 2 granted the franchise for 20 years, with Congress reserving the right to repeal the franchise at any time for non-use. "In the event of cancellation of this franchise by Congress after seven years from the date this franchise takes effect for any reason other than non-use, the Corporation waives its claim for any damages for loss of franchise."
- Section 3 stated that no competitive "street railway or bus line, that is, bus or railway line for the transportation of passengers of the character which runs over a given route on a fixed schedule" was to be established in the District of Columbia "without the prior issuance of a certificate by the Public Utilities Commission (PUC) of the District of Columbia . . . to the effect that the competitive line is necessary for the convenience of the public."
- Section 4 established "a legislative policy" that to ensure the Washington area had an adequate transportation system operated as a private enterprise, D.C. Transit System, Inc., "should be afforded the opportunity of earning such return as to make the Corporation an attractive investment to private investors." Given that a return of 6½ percent net after taxes "would not be unreasonable," the PUC should facilitate that outcome "as promptly as possible and as conditions warrant not later than August 15, 1958." The section continued, "It is further declared as a matter of legislative policy that if the Corporation does provide the Washington Metropolitan Area with a good transportation system, with reasonable rates, the Congress will maintain a continuing interest in the welfare of the Corporation and its investors." [pages 70-76]

Representative Horton, after asking about passenger totals and revenue on the bus network, asked about Chalk's objection to the way H.R. 4822 contemplated private operation. If the bill were amended to permit a truly private operation, would Chalk's company submit a bid?

Chalk replied, "Not necessarily so, sir." Any company considering whether to bid would want to determine if the operation would be profitable and that would depend on other provisions of the bill and the rules and regulations. He also would be concerned about whether the bill established clear rights of the regulator and the company. "That would be a matter of negotiation." He also would be concerned about what happens to labor by the time operation would begin in 5 or 10 years ("The Lord only knows when"). He doubted Stolzenbach's low estimate of damages to current employees of D.C. Transit System. "It is my impression that back of his mind is the elimination of a lot of labor. He couldn't possibly expect to run a \$32 million enterprise [such as D.C. Transit System] with \$9 million and still maintain the jobs of my 4,000 employees, not counting me."

Had Chalk given any thought to building the subway himself? Chalk replied that he had offered to do that at one point, referring to his proposal to consider other modes, such as monorail. “I didn’t have very much of a receptive audience.” [pages 205-209]

Representative Fuqua wanted to know how Chalk thought damages should be handled and how long they should be paid. The amount, Chalk explained, should be measured in comparison with current circumstances. The payment of damages should continue for at least one renewal period under the charter.

What if future losses were a result of poor management? “That is why we would like to have things spelled out clearly.” Opinions can vary depending on whether the person making the judgment knows the subject or does not. [pages 209-210]

Representative Nelsen referred to Chalk’s comment about visiting the White House. Chalk clarified that he felt compelled to speak with the President, but had not done so. He spoke with the President’s assistants.

Chalk had referred to the labor protections in H.R. 4822, but referred to “certain limitations.” What did he have in mind? The bill did not include protections for employees who lost their jobs as a result of the transition from buses to subway. Also, the company’s contract with the labor union expired in October 1965:

How can I sit down . . . to negotiate with the president of the union as to a future contract, and I can see there is a guillotine hanging over my head and I can’t plan any more for the future? I got to figure how do I get out of this, not how can I go further.

With a pending “death sentence,” how can he negotiate potential raises? “As far as I am concerned, progress stops unless we are properly protected by this bill.”

Representative Nelsen referred to the 7-year provision in the charter and the 20-year term of the franchise. Would the bus system meet area needs indefinitely, or will there come a time when another mode, such as a subway or monorail, might be needed? Chalk replied:

It is within our long-range plans to keep abreast of the time, to have the most modern, newest type equipment that both economics and the demands of the public require.

He was meeting on the following day with engineers to discuss “atomic-powered vehicles which are not even in contemplation in this subway.”

Was he saying that rolling-stock type of transit would meet needs or that the area would never need a rail system. Chalk supported new modes of transportation, whether that meant a different type of bus, a bus powered by a different energy source, a different-powered train, a one- or two-wheel train, or a modern construction method. “In other words, our transit system operating under private enterprise should be able to keep abreast of the present and the future.” He was however, not proposing a specific alternative:

I am supporting the concept that if this is what the administration wants, if this is what the public wants, I am not opposed to it. I only say that I am not interested in operating as it presently is, and if you don't think enough of our ability to do the job today and in the future, this is your privilege, and we regret you may take over my company, pay us a fair and reasonable damage bill, what it might be, and I suppose we part good friends and that is it.

Representative Nelsen asked about the \$63 million valuation of D.C. Transit System, Inc., that he had read in the newspapers. "I am not responsible for someone else's projection. I did not propose any figure, no less \$63 million, neither more nor less."

Representative Nelsen felt Congress needed to know Chalk's estimate in view of his statement that Congress had a moral obligation. "If we have a moral obligation, what is it?" Chalk replied that first they should determine if Congress did have a moral obligation before thinking about dollars. [pages 210-212]

Representative Roudebush asked Chalk about his claim that the proposed system would not relieve congestion. Chalk based it on his experience of trying to travel in Paris, New York, and London, all of which had a subway that "does not relieve the traffic problem upstairs."

Representative Roudebush recalled a statement by Chalk that traffic was no worse in the District than in any comparable city. What cities did he mean? Chalk said that he was referring to cities across the country and the world. "Traffic problems have never been solved any place in any major city of the United States . . . or in any of the major and minor cities of the world":

Mr. Chalk. The subject of solving the traffic problem is one that no one can boast of having accomplished. No one has ever solved the traffic problem to date, whether it is in Washington or any other city of the world.

Mr. Roudebush. Mr. Chalk I asked that question because I simply agree with you.

He pointed out that he lived near Detroit "where they have a tremendous traffic problem," and added that the city of Chicago "is almost impassable at the time of discharge of employees at the end of a workday."

As an advocate of free enterprise, how would Chalk finance this bill? Chalk said he had not offered an alternative and said only that "the financial aspects of this entire project are ridiculous, preposterous, and unrealistic." The funds, he explained, were to come from the U.S. Treasury and the District, but they would all come from the U.S. Treasury. "In effect, yes, even the District funds will only bring a bigger deficit to the District and they would have to still go back under another guise to Washington. Let's face reality. This is purely coming out of Uncle Sam's pocket and every taxpayer."

Was he aware that the union had filed a letter in support of the bill. He was aware, adding, "but I don't think they are aware of the consequences to them as it is presently written."

What about Chalk's estimate that the system in the bill would cost \$2 billion, not the \$431 million that NCTA had suggested. Chalk said he based his estimate on "the historical

calculations of construction under the Government enterprises in Washington.” He thought a study should be made of the subject, and had even offered to pay for it. “I would like to reaffirm that if this—if the calculations come within 200 percent of accuracy, I reaffirm my offer to pay for that study.” [pages 213-214]

Representative Broyhill asked if Chalk meant that he would not want Stolzenbach to conduct the study. Certainly not, Chalk replied. He would want a “nationally credited firm of engineers” to conduct the study.

Commenting on Chalk’s visit to the White House, Representative Broyhill said that despite Chalk’s view that the Administration was sympathetic to his position, the truth was that the President submitted the bill that became H.R. 4822 and that Staats had expressed the Bureau of the Budget’s support for it. Representative Broyhill suggested that the subcommittee might seek a clarification from the White House.

Next, he asked about the discussion with Representative Roudebush about congestion in other cities. Chalk said he thought the subway would make congestion worse:

Every time you take your car off topside and put the passenger downside, you are encouraging two more cars to go to the empty space and that is the way it works.

Representative Broyhill said that statement was distressing to those seeking a break in congestion. Chalk said there are many steps that can be taken but:

You will never remove the problem. The problem, no matter what you do is controlled by the birth rate. Not only traffic, but people keep on increasing as years go by.

What if officials put more buses on the streets, even if they required subsidies? Chalk said the Congressman was “putting the cart before the horse.” The question was not how many vehicles were used, but whether they could move rapidly through the city. “It is the speed of the movement rather than the number of empty seats that you may have available.” Twenty buses on a street might be nice, but if they could not move, “no one is going to get in them.” Basically, if officials want to solve traffic congestion, they would have to deal with what was on the surface, not what they could put below or above it.

Representative Broyhill referred to the legislation that he had introduced in 1964, with Representatives Mathias and Sickles, to subsidize additional buses until the subway began operation. Would that be helpful? Chalk thought that might be helpful “if you put more buses on the street [and] gave them more room to move,” such as exclusive bus lanes.

But what about residential areas? Chalk called that marginal operations, from which the Congressman concluded that subsidies would be needed to make the additional service profitable to the company. Would it not encourage more people to ride the system? Chalk said:

Service, more service always attracts more passengers. This is a premise well known in transportation. The greater the availability of the service, the greater the availability of passengers.

How would H.R. 4822 affect the company's service? The company would have to seek ways to preserve capital, rates, and business, as expected by its stockholders. "We would have to reappraise all of our long-range plans and determine upon a short-range plan if it is written as it presently is." He would "take such precautions as a prudent businessman would necessarily have to take to preserve the investment."

Was a surface company working profitably in a city with a subway anywhere in the United States under separate ownership? Chalk said that a route might be profitable if the subway did not go there, but no, he had never heard of a profitable surface line that duplicated a subway line.
[pages 214-218]

Chairman Whitener, the next questioner, referred to Chalk's repeated statements that he did not oppose the bill. What parts did he agree with? "I agree with the entire statement except insofar as those sections of the act which are not consistent with the amendments which I have suggested." He did not oppose the proposed system. "I merely am trying to improve it."

Did Chalk's repeated disparaging comments about Stolzenbach have any bearing on his views on the bill. "None whatsoever."

Chairman Whitener referred to a memorandum dated February 16, 1965, that supposedly was written by Chalk. It said, "it is our conviction—that is—it is the intention of Messrs. Horsky and Stolzebach to nationalize in a socialistic fashion transportation of our Nation's Capital contrary to the will of the Congress and the will of the President of the United States." Was that an accurate statement of Chalk's philosophy – that the chairman was a socialist?

Chalk replied that the statement referred only to Horsky and Stolzenbach, but Chairman Whitener said he was the sponsor of the President's bill. "So I suppose that President Johnson and I are now confederates of Messrs. Horsky and Stolzenbach, so just by simple—not only legal but just ordinary deduction, that sort of makes us a party of this."

Chalk stated that he did not believe in guilt by association and was not referring to the President or the chairman:

I am referring specifically to one part of this bill on which I think I have very clearly set my position. This bill is not a private enterprise bill. It is private only in the sense that it employs private individuals to do the job. Otherwise it is public ownership and private operation and this in my book is socializing the transit system.

If the government passed a bill that provided for construction of the tunnels and the tracks, but offered a franchise to your company to provide the rolling stock with a guarantee of 6½ percent profit and certain tax forgiveness, would that be private enterprise? Chalk pointed out that the government already did that with D.C. Transit System. "It builds the roads . . . and it allows the D.C. Transit System to go across them. There is no difference between building a highway on the surface or building a highway beneath the surface." He was permitted to buy his own equipment and operate it on a public road; that would be private enterprise.

In relation to White's statement about any legal rights the company may possess, Chalk had said the White House would not have any objection to his amendments on damages. Did he mean to imply that the company had a commitment to operate a bus network in perpetuity? No, he did not say that. Did not the formula for compensation imply that? Chalk said he had not advanced a formula, but merely said the company should be compensated.

Chairman Whitener tried to determine the number of people the company employed. Chalk had said 4,000, but the record indicated the company had 2,819 employees. While Chalk's concern for his employees was "commendable," the company employed 3,242 people when he took over the charter. Did that reduction result from automation and other advances in the industry? Chalk blamed the reduction on "whoever dreamed up the idea of cutting out the trolley cars in Washington":

I do believe that when we converted, as was required by Congress, from trolley cars and bus operation to all-bus operation, some of the men who were not qualified to drive a bus, some of the men who were not qualified to repair an engine did, unfortunately lose their jobs. But to place the blame on myself or my organization is very unfair.

Chairman Whitener replied, "We are not placing the blame. We are just going . . ." but Chalk interrupted to say, "It was the man who dreamed up the idea of disposing of the trolley cars."

The chairman pointed out that the man in question was a Member of Congress who put the disposal idea into Section 7 of the act approving the charter. "So you were in on the dream, I would say."

Chalk protested, "I didn't create it. I was opposed to it," but the chairman moved on.

He cited Chalk's description of the NCTA estimates of cost as "grossly unrealistic and fallacious," and his recommendation that they be subjected to "an unbiased and impartial engineering study and report on the true facts." Chairman Whitener said, "I am not sure whether you are aware of the identity of the engineers who made this study" leading to NCTA's estimates. He listed three nationally known consultant engineering firms (DeLeuw Cather of Chicago, Kaiser Engineers of Oakland, and Louis Klouder and Associates of Philadelphia) and listed their accomplishments in the transit and other areas. "Are these the engineering firms that you imply have not been of the quality that you would like to see?"

Chalk denied saying that. "I only say they were selected by Mr. Stolzenbach and are not independent in the sense that they can render an unbiased view of Mr. Stolzenbach's recommendations."

Without commenting on Chalk's reply, Chairman Whitener moved on to the operating contract. In response to a question, Chalk had said his company had submitted a bid to operate a system in Dade County, Florida. Why then, "would this be so abhorrent to you if it were not so in Dade County?" Chalk replied that the District charter was the company's main business, while Dade County would have been supplementary. The District charter provided "our major income," but

if the company wished to supplement it outside the area, it would do so. "But where it becomes our major income we are not interested."

Chairman Whitener asked what Chalk's position had been when the idea of a subway was under discussion during consideration of the National Capital Transportation Act of 1960. Chalk recalled pointing out that "there were alternatives to a subway and that I thought it would be wise to consider the alternatives before a final decision was made in connection with the subway."

The chairman recalled Chalk's statement about proceeding in stages, but only advancing one stage at a time. As a businessman, would Chalk start a new bus system with only one line? Chalk replied that what a businessman and a government would do "are two entirely different things":

Now, if I were doing this I would be very careful before I decided how I was spending my money as a private enterprise. I would make darned sure that every contemplated future expenditure brought back dollar for dollar value. I merely say that the figures as presented by the NCTA are under a financial cloud. I would go slow before I would spend taxpayers' money.

Would anything in H.R. 4822 prevent NCTA from doing just that? No, but the bill approved the NCTA program that "sets up a series of lines and each line starts before the previous one is completed."

They discussed subsidies, which Chairman Whitener said included the tax and other incentives in the D.C. Transit System charter. He observed, "I believe you have had a 7-year period and about \$2.6 million in exemption from motor vehicle fuel tax." In addition, the charter included substantial real estate tax exemptions. Chalk replied, "This was offered to us in 1956 as an inducement to take over a city that had nothing but heartache in transportation."

Chairman Whitener said that some 55 community organizations and 20 or so individuals had submitted statements to the subcommittee in support of H.R. 4822. These groups and individuals who supported the bill presumably also supported the subsidies the bill contained. Chairman Whitener did not mean to deprecate Chalk's private interests, but "we do have the cooperation of practically every agency including the labor organizations in the city and the only major discordant note is what I heard from you."

Chalk replied, "I have heard no discordant notes from me. I support the bill. I merely say amend it so it does not do an injustice to me."

Chairman Whitener turned to Chalk's contention that a subway would not reduce the number of vehicles on the streets. Chalk said, "I cannot see where any subway system in any of the major cities of the world have affected the traffic on the streets." The chairman asked if traffic on city streets would be about the same. Chalk thought that might be the case. If so, would that mean continued business and economic life as a result of the transit system? Probably so, Chalk replied:

There may be many reasons, sir, to build a rapid transit system other than the solution of traffic problems. Now, these I have no quarrel with. I merely say that the construction of the subway would not necessarily solve the traffic problem upstairs.

Chairman Whitener tried to convince Chalk that based on the number of passengers and a minimum fare of 25 cents, “that would seem to be a good omen for the fare box taking care of the bonds that this legislation contemplates would be issued; would it not?” Chalk said, “I think that would be most optimistic.” [pages 218-232]

After Chairman Whitener’s lengthy, detailed questioning of Chalk, Representative Sickles had a couple of questions. He had assumed prior to Chalk’s testimony that the company would be protected “if we insured that any procedure or steps that were necessary to insure that you could get in court in order to recover damages would have been satisfactory.” Was Chalk asking for some sort of formula for calculating damages to be included in the bill? Chalk replied, “If we were not receiving the net income that we are presently receiving, or have a reasonable expectation or anticipation of receiving, I feel that that should be compensatory.”

Could Chalk have conceived that a rail rapid transit system was coming to the metropolitan area “as far as the planners are concerned”? Chalk said he “could conceive that this would come and we would be properly taken care of when it would happen.” In other cities, local governments took over mass transit where it was no longer profitable for operation by a private company:

It is reasonable to anticipate that if the Government wishes to take over a private operation, if this is the tendency and it appears to be, well, then, we go along with it. I don’t necessarily enjoy the prospect of turning my business over to the Government, but if this is what the Government wants, I will go along with it. But at least if you do this to me, compensate me as they do in all other cities.

Representative Sickles said that at the start of Chalk’s statement, the impression was that he supported the subway, but then, it seems, “you would think that improving the bus system or some other system would be even more satisfactory than the subway system.” Chalk did not want to talk about alternatives “since it appears to be a foregone conclusion that this is what the public of this area wants.” He did not want to oppose the Johnson Administration. “If they in their wisdom feel that this is what they want and should have, I will not oppose it. I am for it.”

Representative Sickles pressed Chalk, as a transportation expert, for an opinion, but Chalk refused to express a view. “This has already been passed upon. The public wants it and they are entitled to have what they want.”

Could private enterprise raise the capital to do what NCTA proposed to do?

In 1960, I appeared before this very committee and I proposed that private enterprise could and would be interested in operating a new transit system and I stand by what I said in 1960, yes, the answer is yes, it is conceivable under certain conditions, not by grant, but possibly by guarantee and certain phases of it, for private enterprise to run and construct a large transit system

As an example, Chalk cited highways. The government provided the funds to build them, but private individuals bought motor vehicles to use on them.

Representative Sickles recalled Chalk's testimony about improving the bus system. Chalk said he had proposed building a vehicular tunnel, but had "discarded that thinking since it is not in accord with the administration's thinking and I will be delighted to abandon it." He could think of many other alternatives, "but there is no point in making suggestions when the subject is a closed one."

Representative Sickles observed that according to Chalk's statement, he did not think enough feeder services would be available after the subway opened to provide the company with a fair return on its costs. Would that be true even though population will continue to increase? Chalk explained:

If we have a route running down Connecticut Avenue, which we presently have, and the subway wishes to run down Connecticut Avenue, there isn't enough business for both of us. And there is no feeder line in history that operates as a feeder line and made money. You would have to go out of business or it could be run, or it should be run by whoever runs the trunkline, should run the feeder line. The feeder line by itself cannot support itself.

Chalk emphasized that all he was saying was that if the company was damaged, it should be compensated. If the company was not damaged, if it continued to be profitable, "we don't want 1 cent."

Representative Sickles was trying to pin down what damages the company would be entitled to under current law, but Chalk was unclear. The Congressman said he wondered about the wisdom of putting a damages provision in H.R. 4822 if "as a matter of law you would not be entitled to any recovery" at present. Chalk thought that including a provision for damages or condemnation proceedings was only fair. "There is no provision in this bill to protect us at all. It doesn't even recognize the fact that we are going to be hurt."

When Representative Sickles suggested that the subcommittee "make sure there is adequate procedure for you to recover these damages," Chalk said, "that is an excellent suggestion" and he would like to explore it with members of the subcommittee. "Let's talk about it." [pages 232-237]

Chairman Whitener reminded Chalk of the language in White's letter that the legislation should not "destroy any legal rights which the company may presently possess to recover damages." He then engaged in a dispute with Chalk regarding Sections 2, 3 and 4 of the legislation granting the charter to D.C. Transit System. The chairman focused on Section 2, but Chalk wanted Section 2 to be read in the context of the entire law, including Section 4. Chalk said Section 4 promised that Congress would be "very mindful of what happens to the company in the future and it had no limit on the number of years in the future." They could not reach agreement on this point, ending Chalk's testimony. [pages 237-239]

The *Star* editorial cited earlier, “Mr. Chalk on Transit,” summarized the testimony by saying that Chalk would be the foremost advocate for rail transit “if the new form of transit were wholly his show, from start to finish.” His announcement that he would not bid to operate the system was “something of a surprise,” but “if that is the way Mr. Chalk feels, so be it.” However, any decision by Chalk to reduce service “most assuredly is not Mr. Chalk’s alone to make.” That service “is a matter of concern to the public transit regulatory commission, and no doubt should be left in anyone’s mind on that point.”

As for Chalk’s concern about damages, his company currently had a virtual monopoly, and that would change with the coming of rail rapid transit. The editors did not think “that Congress should attempt now to determine, as Mr. Chalk demands, what compensation, if any, may be due D.C. Transit after the rail system becomes operative.” However, under the 1956 charter, the company waived damages for loss of franchise after 7 years, as White House counsel White had stated. “And beyond that, the fact is that no one is in a position at this point to know whether any compensable damages will occur or not.” Congress should not provide any “protection” beyond White’s assertion that nothing in the bill “should be construed to deprive D.C. Transit of any rights it may have for any damages to it.” [“Mr. Chalk on Transit,” *The Sunday Star*, March 14, 1965]

A *Post* editorial summarized Chalk’s testimony by saying he was “a man of active but gloomy imagination.” If a subway were built, “he can foresee no future for his D.C. Transit System but chaos, rapid decline and eventual ruin.” He supports H.R. 4822 in general, but “is compelled to oppose it in every particular.” Chalk still enjoyed “some of the great good will that met his arrival here nine years ago.” However, he had “dissipated much of that good will with his exaggerated claims and his excessive complaints.” He was running one of the best bus systems in the country, “and it is not his fault that buses alone can no longer meet the city’s demands.” The editorial concluded:

Congress has dealt considerately with Mr. Chalk in the past, and he has no right to ask for what amounts to a vast pension for his bus company now. [“He Asks Too Much,” *The Washington Post and Times Herald*, March 18, 1965]

At the start of the hearings, Chairman Whitener had announced that he wanted to finish on February 24 and close the hearing record on March 1. However, in view of Chalk’s maneuvers on the subject, including the memorandum circulating on Capitol Hill, the chairman had extended the hearing to hear his point of view. According to Lee Flor, Representative Multer “had been expected to give Chalk’s side of the controversy,” but he had been rescheduled and Chalk appeared instead. Chalk’s request “was unexpected.” [Flor, Lee, “Chalk to Present Views At Rail Transit Hearing,” *The Evening Star*, March 3, 1965]

On March 17, Representative Multer told the subcommittee that he thought private enterprise should be preserved to participate in this project to the fullest extent. In his view, NCTA had “not done all that should have been done to be sure that private enterprise was invited in to participate in this program to the extent that private enterprise can and is willing to participate.” He admitted that “mine is a lone voice in the wilderness in talking against a subway system for the District of Columbia.” Thus far, he said that virtually every witness supported rail rapid

transit. "Almost every witness, however, has avoided the use of the word 'subway,' as though it were a dirty word." He added, "I am inclined to suggest that it is a dirty word."

As a native of New York City, he said, "I think the subway system there is typical of what subway systems and rail systems should not be." It was experiencing maintenance problems as well as crime problems despite all the funds spent and its own police force of 1,119 officers. Crime in the District was increasing without a subway, but would increase even more with one.

He questioned NCTA's projections and estimates. He said:

It is my information—I cannot document it—that many outstanding engineering firms that could give an unbiased and proper report on this subject were consulted by this agency and told in advance what the agency wanted, and they refused to enter into such contracts with the results predetermined.

He recommended that the committee undertake a survey, complete and independent, to determine if a subway is the proper alternative, the likely cost of the recommended alternative, and the prospective cost of operation. He suggested the survey could be conducted for \$431,000 or one-tenth of 1 percent of the proposed expenditure of \$431 million:

If we want to put the Government into the building of the subway, let's do it. But let us meet the issues squarely and if that is the determination, let's do it, but make up your mind that the U.S. Government is going to pay this bill directly or indirectly, because the city of Washington will never be able to contribute its share.

No one, he said, seemed to be aware of how much disruption construction of the subway would cause. Based on living in New York City his entire life, he could assure the subcommittee that "for the next 20 years . . . your streets are going to be torn up, they are going to be impassable. You are going to drive the businessmen away from the route of the subways, and for 20 years the District will lose the revenue and the taxes in addition to having put those people out of business."

He concluded by saying "I hold no brief for any one company or companies, no matter what the newspapers may say." However, if the city was determined to build a subway "then by all means let's get the proper and true cost of this construction and the proper and true projection as to cost of operation." He urged the subcommittee to rewrite H.R. 4822 to include "a proper provision that will safeguard private enterprise and give them the opportunity to come in and participate in this program if they want to and they can." [pages 249-254]

During the question period, Representative Broyhill agreed with Representative Multer that NCTA should have considered all alternatives but "I strongly feel that they inferred that everybody wanted a subway system, and they went hellbent to justify a subway system without giving proper consideration to existing transportation, existing rail lines, and other alternatives such as monorail." He said he had been working with AMF, which had an office in his district. (Representative Multer called AMF "one of the finest companies in Brooklyn, N.Y., which contains my district.")

NCTA, Representative Broyhill said, had not given adequate consideration of “this all-weather suspended type monorail,” despite the requirement in the National Capital Transportation Act of 1960 that it consider the most advanced means of mass transportation. The system studied in 1962 for NCTA did have deficiencies, but the “truly advanced development” that AMF was developing had eliminated those problems. The company and its French associates, had invested \$20 million “in bringing this development to a point where the transportation of the future can really be ours today. And I think they should have their day in court.”

Representative Broyhill said he had decided against asking the committee to consider this alternative. He was afraid that the committee, which was considering whether to approve the NCTA bill, might not want to act on the monorail option, leading to “an inference . . . that the committee rejected a monorail system.” He was convinced that a full hearing on the subject would elicit “a great deal of support by this committee and the Congress.” He added, “And there would be no problem of right-of-way, it would cost only a fraction of the cost of a subway, and we could build it in a fraction of the time.”

Regardless of what happened with H.R. 4822, Representative Broyhill would continue to promote the monorail option, possibly for extensions of the rail rapid transit system:

I am going to urge the committee and the Agency and the surrounding communities to give strong consideration to the employment of a monorail system. I think it is inevitable, I think we are going to come to it, and when we do, we are going to look back and wonder why we didn't get to it before.

Representative Multer said that one thing had been overlooked, namely that once construction of the subway begins, “surface transportation in the District is going to begin to deteriorate.” Based on experience, he said:

Once it is completed, you can be sure that it will only be a matter of time, and a very brief time, before the District of Columbia or the Federal Government will have to take over the surface transportation system of the District, because, again drawing on experience in New York, first we took over the subways, the municipality took them over. It was only a matter of time when one transportation company after another had to be taken over by the city of New York. Private companies just could not operate in competition with the subways. They were put out of business, temporarily, because some of their routes were taken away. They just could not travel over the streets where they were building the subways, and when the subways were completed, they just could not compete.

Many people will still want to rely on surface transportation. “That is the experience all over the world where they have subways.” Surface transportation companies cannot compete:

If the subway system goes in, be prepared to have the Government take over the surface transportation and operate that too with the Government paying the deficits between cost and fare revenues.

That is also part of the cost that you should contemplate as part of the cost of operating this system and an additional cost of acquisition. [pages 256-259]

Representative Sickles said he was concerned about Representative Multer's comments impeaching the integrity of consultant findings that NCTA used to propose its system. Earlier, Chairman Whitener had listed the consultants, all of whom were highly respected.

Representative Multer said he did not intend to attack the good faith of those firms. However, consultants only do what they are paid to do. "I think they gave the Agency that which the Agency bought and paid for":

I think these engineers gave value for what they were asked to deliver. But I don't think they were asked to deliver enough.

Instead of assuming that everybody agreed that a subway was the ultimate answer, NCTA should have studied all alternatives fairly:

Then, having determined that this should be a subway, they then should have asked for a full and complete survey as to what was involved and then prepare the plans and specifications needed from which to build this subway, both as to roadbed and as to equipment. Then they should have called for the engineering studies as to the cost of that construction. I don't think you have got that. I think, despite the length of the document and the detail, this is a good guesstimate and not a fair estimate.

Chairman Whitener interrupted the dialogue to say that committee staff could provide Representative Multer with evidence that "will cover the very thing you are talking about. There is no secret about it."

Further, he had been in meetings with NCTA officials when they discussed monorail. They had concluded that a monorail was not the best alternative for a downtown system that "they think is absolutely essential to move people, and that just putting a rapid rail out on the periphery of the city would not do the job." Moreover, when he had been in Japan in late 1964, he had talked with officials there about why they chose a subway over monorail. They had installed monorail to go from downtown to the airport:

They felt that monorail had some limitations, and they thought it could do that kind of job, but it could not carry the great numbers of people that would have to be carried in a major downtown system. And that is why they ruled it out

My own feeling about the monorail is that it sounds glamorous, sounds like it can do the job, and it is much less expensive, so that you would be inclined to believe that NCTA would analyze it thoroughly. And I think they have.

He also wanted to comment on the observation that the word "subway" had been little used during the hearings. A subway could be several things, such as the subway "through which we walk from here over to the Capitol," so the term is not really definitive. In the past, Chalk and others had suggested a subway for buses. "Rapid rail we understand is steel on steel."

Representative Broyhill objected to the chairman's comment about NCTA's study of monorail. NCTA had studied monorail, "but not in sufficient detail I think that they were in error, serious error, as to their judgment." The modern system, with rubber-tired suspension, was in operation in Paris, but he admitted that Washington had a unique problem. In Washington, "we have got the Fine Arts Commission and a lot of other agencies that have a say-so in this thing, and of course, they think esthetically, that the monorail is not as attractive as some of us think." They favored underground "in order to duck that problem."

As for Japan, the monorail system considered may not be able to support the needed volumes, "but this is another example of what I consider an inadequate evaluation of currently available systems." He said that the AMF monorail could carry 50,000 passengers per hour in each direction, "and it has the flexibility for using smaller numbers of cars during off-peak hours, with a consequent saving in operation and maintenance and cost." [pages 259-263]

Chairman Whitener asked Representative Multer if he believed that despite the cost advantage of monorail, "the people of the District of Columbia would ever support or permit the erection of a monorail system which would run in front of the White House and the Capitol and all these other monuments that we have around here?" Representative Multer replied that a subway is simply a tunnel that could accompany a rail line, buses, or monorail. "A monorail is a vehicle that runs on one rail, and it can run underground as well as above ground."

Mr. Whitener. If it is not going to be run above the ground, then we get right back to our objection about engineering studies for the underground system, don't we?

Mr. Multer. I would like to make clear that mine is a minority view as to the subway.

Mr. Whitener. I would hope so.

Mr. Multer. From all I have seen, I know it is.

Recalling his trip to Tokyo with Representative Sickles on other business, Chairman Whitener said they had spoken with "the very top man in the subway system" who had said "that they had the monorail line that they have, one route, just more or less as a showpiece, and that it was impractical, that it attracted tourists more than it did regular users." Representative Sickles said that was his recollection, too. Chairman Whitener repeated the comment about the monorail not being able to carry enough passengers:

And it was for that and other reasons it was not a practical system. So I suppose that that same experience that they have had would apply whether you ran your monorail underground or on top of the ground.

Representative Multer also had been in Tokyo in September 1964, and he had looked into the rail transit system. He agreed that the monorail to the airport was mainly a tourist attraction. However, it also attracts passengers who use it as a basic utility:

And so here, too, whether you build it underground with a monorail or the two-rail track, people are going to be using it because it is a utility, it is something they need to get places, and therefore, they will use it.

Representative Broyhill pointed out that if people would not use the monorail for basic transportation service, “why would they ride the same type of vehicle sitting on two rails or underground rather than overhead?”

Representative Whitener replied:

I think the answer to that is readily seen by anyone who goes to the Tokyo subway system, because they have men employed whose sole function is to push more people onto the subway cars, they actually use their feet to push passengers onto it.

Representative Broyhill said that if the subcommittee wanted to consider how many people would use rail rapid transit, “we need to get more discussion on this monorail alternative.” The subcommittee could hear from experts who could answer every question in detail “to the satisfaction of the committee.”

Representative Multer pointed out that a monorail was built as a temporary service for the 1962 World’s Fair in Seattle, but had been retained as a utility even after the novelty of its fair-service had worn off. Today, it was still serving a useful purpose.

Representative Broyhill did not see the monorail as objectionable from an aesthetic viewpoint, even though he realized the Commission of Fine Arts and others might find it unattractive. “But we did have streetcars that ran in front of the White House and past the Capitol for years, and no one raised an objection about those. They were removed for other reasons.” But aesthetics were only one factor to be considered. Cost and efficiency must be taken into account as well.

After a brief discussion of the crime issue on buses in the District, Representative Multer concluded his testimony:

Mr. Multer. I trust we can cooperate together to try to cut down the crime rate as Mr. Whitener is trying to do.

Mr. Whitener. Mr. Multer, of course, here in the District of Columbia we have crime on the buses, unfortunately that happens here. And you would not recommend to your wife that she ride a bus late at night here in the District of Columbia unaccompanied, would you?

Mr. Multer. I agree.

Mr. Whitener. So this problem of crime on transportation facilities is a problem, and we have to face it. And it is the responsibility of all of us to do what we can to help eliminate as much of the crime as we can.

Mr. Multer. I agree, sir.

The hearing was at an end. [pages 264-270]

E Street Expressway

For several years, the District had been developing the E Street Expressway as a depressed roadway along E Street between 19th and 23rd Streets, NW., as a major approach to the Theodore Roosevelt Bridge. The District and BPR would split the cost of the expressway, 50-50, under the

Federal-aid highway program because it was not part of the Inner Loop or the District's Interstate System.

The expressway's engineers, Dummel, Klepper and Kahl of Baltimore and Harrisburg had hired prominent architect Cloethiel Woodard Smith, as noted earlier, to design the project with aesthetics in mind. The design involved bridging over 23rd Street and tunneling under Virginia Avenue. The *Star*'s Robert J. Lewis described the plan:

It would rise to the surface at Twentieth Street and meet two streets flanking Rawlins Park, east of Nineteenth street. The plan requires demolition of an apartment building, just north of the State Department building on Twenty-third street and of an old auditorium at Nineteenth street, so that Rawlins Park may be extended.

The design included "special lighting and walls, landscaping and railings specially adapted . . . to the expected increasing attraction of the area for tourists and other pedestrians:

The proposal, as she outlined it, would screen the depressed section of the expressway, and a tunnel entranceway, through landscaping, and other means, including a pool, fountain and plaza at Twentieth street.

Smith presented the design to the Commission of Fine Arts on October 19, 1961. She said that highways were a "new and demanding element" that tends to destroy the quality of life in central cities:

If the surface of the city is destroyed by brutal paved and walled gashes that separate it into a series of islands, it will become only a city for vehicles and not a city for people, by destroying the elements in the city that bring people together and contribute to a rewarding urban life.

Members of the Fine Arts Commission praised Smith's design. Chairman Finley called it "very impressive," while Ralph Walker, a former president of the American Institute of Architects, called it, "very thoughtful." William Perry, a Boston architect, said the result was "a very handsome arrangement," a statement that painter Peter Hurd agreed with. "I've just got back from Los Angeles," Hurd said, "and have seen what a mess they have made of their city with their expressways out there."

In contrast with the praise for Smith's design, Chairman Finley said the Fine Arts commissioners were pleased to learn that NCPC had hesitated during a recent meeting to approve the East Leg and other segments of the Inner Loop without further study:

The Commission of Fine Arts has never approved the Inner Loop . . . which we feel will be destructive to the beauty of the city. The commission has advocated, instead, an underground rapid transit system which, if adopted, we feel would meet our traffic needs without irreparable damage to the city's appearance.

Engineer Commissioner Clarke and Director Aitken responded to the NCPC criticism, with Clarke pointing out that Smith's design for the E Street Expressway was "indicative of the kind

of treatment planned for the entire inner loop.” He rejected critics’ claim that the Inner Loop would be “an eight-lane ditch.” As with the E Street Expressway, the District had required consultants hired to design any segment of the Inner Loop to retain an architect to ensure proper consideration of aesthetics. For example, Aitken said the city planned to take the entire block from 10th to 11th Streets to provide a landscaped buffer for the East Leg Freeway. [Lewis, Robert J., “Fine Arts Unit Hits Plan for Inner Loop” (October 18, 1961) and “Arts Unit Praises Plan For E Street Roadway” (October 19, 1961), *The Evening Star*]

The *Post* and *Star* praised Smith’s design. *Post* editors called it “a marvel of ingenuity,” adding that “architecture shows us how to make a quite attractive little park out of a four-block sunken freeway.” They hoped the engineers designing the city’s other freeways would listen to her message about a rewarding urban life. “There is only barely time to heed Mrs. Smith’s warning.”

Star editors shared that hope. “If Mrs. Smith has successfully avoided deleterious effects of the freeway in the State Department area through the use of tunnels, specially designed walls, landscaping and plazas, it follows that these same techniques can be and should be employed in many segments of the inner loop.” Highway critics would be well advised to urge such steps, which “would be more fruitful than adamant opposition” because the Inner Loop “probably has progressed too far now to be stopped.” [“Freeways and the City,” *The Washington Post and Times Herald*, October 21, 1961; “Beautifying Freeways,” *The Sunday Star*, October 22, 1961]

All praise aside, the Commission of Fine Arts, the Committee of 100 on the Federal City, and the Committee on the National Capital of the American Institute of Architects came out later that month against not only the Inner Loop but Smith’s design for the E Street Expressway. Chairman Finley said the commission was withholding endorsement of the E Street Expressway because:

We feel a depressed roadway, such as is being planned will not only be destructive of the E Street Mall, but would direct too great a volume of traffic past the White House.

Smith’s design, he said, made the expressway more acceptable, but commissioners opposed the “depressed trench” facility:

If, after further consideration, it is determined that the freeway is still necessary in this location, then members hope the District Commissioners will consider putting the expressway underground from Twenty-third to Twentieth streets, so far as possible, and thus preserve the greater part of the area as a park.

The Committee of 100 called for “a thorough evaluation of the probable impact of the Inner Loop on the appearance of the National Capital and the lives and property of its inhabitants.”

The Northwest Committee for Transportation Planning, formed to block an expressway in the Wisconsin Avenue corridor, released a 50-page study supporting a moratorium on the four Inner Loop projects that NCPC was studying. “The Inner Loop and related street widenings and arterial freeways would not solve traffic congestion problems, but would create an even worse

strangulation of automobile traffic.” [“3 Groups Join Protest Of Inner Loop Plans,” *The Evening Star*, October 27, 1961]

In view of the objections, Aitken asked the District’s “little fine arts commission” of three architects to study the proposed E Street Expressway. He asked Washington architects Leon Chatelain and Leon Zach, and Paul Goettlemann, head of the Catholic University School of Architecture, to report back by December 12, 1961.

Their report said that Smith’s proposal was “over-designed” and needlessly expensive. They favored a more conventional design featuring greenery along sloping expanses. Aitken admitted he agreed with their conclusions, but assured reporters that he had not made any recommendations to them on this, the first review since their appointment on November 9. “These men are not rubber stamps. They’re hard, sensible, rational thinkers.” He added, “An architect can’t be unmindful of cost.”

The *Post*’s Willard Clopton described Smith as plainly “miffed” by the reaction. She said:

If they want to make a great hole in the city in the name of being a quote architectural advisory committee unquote, let them. They couldn’t be more wrong.

She would be willing to redesign the expressway, but only up to a point. “I’m not going to redesign a big cut in the city.” [Clopton, Willard, “Panel Criticizes E. St. Expressway Design,” *The Washington Post and Times Herald*, December 31, 1961]

The *Post*’s architectural critic, Frederick A. Gutheim, described Smith as “a willing pioneer” who had examined the basic elements of the E Street Expressway only “to seize upon those elements which she could control, and attempt to manipulate them into a design which would dominate the earlier fundamental engineering.” He continued:

The end result showed there were just not enough such elements, that hostility to more-than-engineering design was to be encountered all along the line, and that even the brightest designer was doomed to failure.

He understood the position the Commission of Fine Arts and others had taken:

Her major objective was to tame the wild engineering form of high speed expressway, and give them a more architectural and urban character compatible with the surrounding buildings.

But a highway is not a boudoir; and what in the end must be considered a cosmetic treatment—even if less costly because of the use of open-cut designs—cannot be considered effective.

Gutheim concluded by stating the challenge facing engineers and architects alike:

If we are to have urban expressways, they should be designed as such. They should fit into cities, not disregard them. Their design should embrace these factors, at the start, not tinkered with at the end to arrive at some sort of futile compromise.

This is a new engineering task and we are overdue in facing it. [Gutheim, Frederick A., "Need Highways Be Ugly Scars?" *The Washington Post and Times Herald*, January 11, 1962]

Smith met with Director Aitken and his architectural team on the morning of January 16, 1962, to seek a solution to design of the E Street Expressway. After the meeting, she told reporters, "The basic design is going to hold I didn't have to compromise very much." The fuss in December, she said, was a "misunderstanding," and she expressed confidence in Aitken, describing him as "one of the few good highway engineers around."

Aitken was less certain of the outcome of the meeting. "We're very close together on her basic concepts." In view of the architectural team's concern that the concrete Smith had identified might not be durable enough for Washington weather, Aitken said he would search for a more durable concrete, adding that "cost will be secondary." [Clopton, Willard, "Expressway Design Wins Vital Support," *The Washington Post and Times Herald*, January 17, 1962]

On April 18, the Fine Arts Commission "reluctantly" approved the Smith design for the E Street Expressway, but wanted the opportunity to review the materials to be used on the facility. The commissioners agreed with Smith to reject the request from American Red Cross officials to build the expressway on a bridge in front of their headquarters between 20th and 21st Streets, NW. The commissioners concluded that a structure at that location would "confuse" the design. The Committee of 100 for the Federal City remained opposed to the expressway. ["Brick Safety Strip Cut From Plan for Avenue," *The Evening Star*, April 19, 1962]

NPS Director Wirth was concerned about the traffic the expressway would deposit on E Street south of the White House. Existing E Street carried traffic in a slight curve between the White House grounds and the Ellipse, but the area to the west included the Red Cross Building, the Freer Art Gallery, and the planned performing arts center. Wirth predicted that with the opening of the Theodore Roosevelt Bridge and the expressway in 1964, Constitution Avenue, "overloaded now," would not be able to handle the traffic. Congestion on Constitution Avenue would cause motorists to switch to E Street, an outcome that would ruin "the whole complex and the Ellipse." With the Red Cross, art gallery, and performing arts center involved, "They've got themselves a real problem." As a result, a tunnel was "inevitable."

District highway officials pointed out that the E Street Expressway was designed to handle traffic for the office area west of the White House. Through traffic volumes would not be heavier, they said. As a result, they were not planning to extend the expressway south of the White House, whether in a tunnel or not. [Flor, Lee, "Tunnel Proposed At White House," *The Sunday Star*, July 22, 1962]

The District opened bids on October 13, 1962, for the first segment of the E Street Expressway. The contract involved construction of a bridge to carry 23rd Street over the new facility. The

bridge had been modified to match the aesthetic standards applied to the expressway. Smith said, “This is a very exciting project,” one of the first highway projects designed aesthetically to make an area more beautiful:

It will save a real pedestrian area, and make it very attractive. This is a historic project, and the more support the Highway Department gets, the better.

Acknowledging critics of the design, she predicted that “everyone will be happy with it” when the expressway is completed.

Blackwell Construction Corporation of Merrifield, Virginia, won the contract with a low bid of \$575,824.10. On November 9, District highway officials gave the company the order to “proceed immediately” on the contract. [“E St. Expressway Work Due to Start” (October 14, 1962) and “Work to Start Soon on E Street Expressway” (November 9, 1962), *The Evening Star*]

An exhibit on “Washington in Transition” at the Octagon Gallery by the American Institute of Architects opened on January 8, 1963. It gave Wolf Von Eckardt a chance to consider freeway and other designs for the city. “All this,” he wrote, “conveys a vivid impression of the almost frightening extent to which we will keep the bulldozers roaring and sledgehammers clanking in the years to come.” He was referring not just to freeways but to commercial buildings planned for the city. Referring to storefronts, office buildings, and hotels “now overshadowing Farragut Square, Thomas Circle and other vital downtown areas,” he wrote, “An exhibition of models and drawings for many of these slipshod designs would be far less encouraging.”

By contrast, Smith’s design for the E Street Expressway proved “that traffic needs can be turned into an aesthetic asset.” Freeway underpasses such as those built to date did not have to be “shocking gashes in the cityscape”:

Their ugliness is emphasized by forbidding, massive tube railings. The new tunnel under Washington Circle is the most recent example of how to ruin the appearance of a city.

Mrs. Smith, in contrast, has designed what amounts to a little park. Lovingly landscaped greenery will make the tunnel entrances seem almost a natural feature. Her design immeasurably enhances the front yard of the Red Cross building on 21st street. If we can’t, with the millions of dollars we spend on expressways, afford more such thoughtful treatment, we should stop talking about our aesthetic aspirations for the Nation’s Capital.

He contrasted her design with the proposal for the Georgetown waterfront that “seems to emphasize rather than diminish the visual damage done by the elevated freeway.” He predicted that “more imaginative ideas will undoubtedly come forward.” [Von Eckardt, Wolf, “Architects Sponsor Display of City’s Future Face,” *The Washington Post and Times Herald*, January 6, 1963]

In June 1963, a joint bid by Brookfield Construction Company and Baylor Construction Corporation of New York won the contract for construction of the expressway. [“Expressway Bid Received by City,” *The Washington Post and Times Herald*, June 22, 1963]

In late 1964, the *Post* described Foggy Bottom as “a maze of tunnels, bridge ramps, expressways, detours and traffic jams.” It was “a sidewalk superintendent’s dream-come-true”:

Within one square mile, the District Highway Department is carving out such massive projects as the E Street Expressway, the Inner Loop and its vast tunnel under Virginia Avenue, the Potomac River Freeway, K Street remodeling, Theodore Roosevelt Bridge ramps, and innumerable underpasses, overpasses, on-ramps and off-ramps.

If prizes were given for this sort of thing, this project would take one For the time being, the area . . . is just one big detour.

The article referred to the E Street Expressway as “a huge concrete gash between 19th and 23^d Streets” that was scheduled to open in late 1965. [Dewar, Helen, “Foggy Bottom Is a Mammoth Detour,” *The Washington Post and Times Herald*, November 22, 1964]

As the opening of the E Street Expressway approached in 1965, the *Post* reported that the “glorified three-block-long trench” includes “walls decorated with a three-inch layer of reddish granite” along the tunnel segment between 21st and 22nd Streets. “It is an off-beat touch, as modern freeways go, and one of the few flourishes surviving from architect Chloethiel W. Smith’s original design for the Expressway.” She had hoped to transform an “open wound” into “a model for such projects across the country”:

But the proposals ran up against the economics of roadbuilding and, one by one, most were dropped or modified. According to a spokesman for the District Highway Department’s design division, Mrs. Smith’s landscaping and lighting ideas would have cost “about four times as much money as we had available.”

Recessed lighting in the curbing, indirect illumination by use of lights hidden in trees, and a pool, fountain, or decorative patio above the tunnel were dropped:

The city designers did adopt another of her ideas, the placement of planter boxes atop the portals at each end of the tunnels. These will be planted, and there will be “imaginative” use of trees and shrubs in beautifying the general area, the spokesman said. “We believe the result will be esthetically pleasing,” he declared.

The “regal red” granite used in the project came from Oklahoma, was cut in Vermont, and installed by Spanish stone smiths. The District’s resident engineer, Jacob LeMair, said officials had been hesitant to use the granite. “But we figured that since we’d hired Mrs. Smith to advise us, we’d better accept her recommendations in some areas anyway.” He added that except for the granite and planter boxes, the project would be a “fairly typical” specimen of an urban expressway.

As for the architect, the *Post* wrote:

Mrs. Smith, whose creations have often been beyond the ken, or at least the means, of her customers, said she hadn’t kept track of how her design had fared.

“I’ve been too busy with my other lost causes,” she said. [Clopton, Willard, “E Street ‘Ditch’ Ditches Its Flourishes,” *The Washington Post and Times Herald*, May 6, 1965]

On July 12, 1965, the E Street Expressway opened to limited traffic. The three-block long expressway, built in a trench with one block in a tunnel, cost \$4.5 million. Work remained to be completed later in the month on an additional ramp for eastbound traffic to reach Virginia Avenue, leaving only some paving to be completed in October. [Eisen, Jack, “Expressway Due To Open Monday,” *The Washington Post and Times Herald*, July 10, 1965]

East Leg Advances

The District commissioners scheduled a public hearing on June 30, 1964, to consider the \$27 million, three-level interchange “C.” Originally planned in the 11th Street corridor, the interchange had been shifted along with the East Leg Freeway. The *Post* described the new interchange proposal:

The T-shaped network of roads and ramps will extend from the Southeast Freeway at 6th st. se. to a point past 19th st se., where [it] eventually will tie to the East Leg. The stem of the “T” will connect the interchange to the 11th Street Bridge and the Anacostia Freeway.

Highway officials say the new design was prepared with consideration of the sociological, economic and esthetic consequences – factors the Department was accused of ignoring two years ago.

According to Planning Chief Grant, the primary interchange lanes would parallel the curving right-of-way of the Pennsylvania Railroad from 11th to 19th Streets, SE. This alignment would reduce the number of families the interchange would displace. Still, the city estimated that 170 dwelling units would be removed. The city planned to begin construction in early 1968.

As the *Post* put it, the interchange had emerged from “a cloud of controversy,” with “a trimmer figure and a more tactful personality.” [Schuette, Paul, “Loop Interchange Flagged in 1962 Emerges with Revamped Personality,” *The Washington Post and Times Herald*, June 28, 1964]

Writing about the June 30 public hearing, the *Post* and *Star* reported a surprising change in attitude. The controversy over interchange “C,” the *Post* wrote, “appeared dead yesterday at an uneventful public hearing before the District Commissioners.” Lee Flor wrote that witnesses – only eight testified, fewer than expected – questioned details but not the basic concept of the interchange. “This appeared to be a reversal of earlier hearings when opponents of the highway program used the opportunity to launch attacks on the entire District freeway program.”

Walter Washington, executive director of the National Capital Housing Authority, testified that he was working with District highway officials “to maintain the loss of public units at an absolute minimum.” Despite his efforts, “We face a substantial loss of public housing.”

Peter Craig, representing the Committee of 100 on the Federal City, criticized the city for not providing adequate notice of the public hearing. He opposed the interchange because it was the

bottom hinge for the East Leg Freeway. Interchange approval might force construction of the freeway, he argued. He said that the East Leg and North Leg Freeways would take over 1,000 homes, displace over 3,000 people, and require about \$10 million from the District highway fund at a time when the city was facing a shortage of gas tax revenue. He recommended building the East Leg Freeway on the east side of the Anacostia River along the existing Kenilworth Expressway.

Four citizen associations based in the southeast quadrant testified that the area needed more recreational space. “Children of the area,” said Mrs. Beverly Baumgart of Circle on the Hill, “should not be deprived of what little play space they have so that someone can cut 10 minutes off his commuting time or receive his evening newspaper a few minutes earlier.” [Flor, Lee, “Witnesses Question Impact of Interchange on Housing,” *The Evening Star*, June 30, 1964; “Inner Loop Interchange Fight Dies Down,” *The Washington Post and Times Herald*, July 1, 1964]

A *Star* editorial suggested that if public hearings meant anything, the commissioners would soon approve interchange “C.” The plan, which included extending the Southeast Freeway to the western shore of the river beyond Barney Circle at 17th Street and Pennsylvania Avenue, was “clearly superior to the original proposal,” as most of the “handful of witnesses” had said at the hearing.

The only remaining question was whether NPS, which had posed “massive resistance” to the East Leg routing along the Anacostia River, was willing to go along with the new plan.

The hearing had displayed “a welcome and totally unfamiliar atmosphere of co-operation.” The animosities of past hearings, as well as the “recalcitrance of highways officials” were both gone. The editors could only hope “this healthy new climate is not a passing thing.” [“New Freeway Climate?” *The Evening Star*, July 7, 1964]

District officials were in a “simmering backstage controversy” with NCPC, as Jack Eisen put it in the *Post* on July 24, because NCPC was going beyond “general” questions to details, such as the sprinkler system for the John F. Kennedy Center for the Performing Arts. General Duke, a NCPC member, said, “We’re taking on a job that is somebody else’s to do.” Chairman Rowe, with strong support from Paul Thiry, disagreed. They often approved proposals conditionally, holding final action until NCPC could see final plans and models. Thiry said NCPC had a “moral obligation and an accountability to see what we are voting on.”

On July 24, NCPC took up interchange “C” and a 1.5-mile East Leg Freeway section to Barney Circle:

It followed such a course in acting last spring on a freeway interchange near 11th and M sts. Se. A model of that facility, Interchange C, was inspected . . . with final action put off until this morning.

NCPC members looked at the model for over an hour, suggesting possible changes. One concern was the height of the interchange structure. In eliminating the cloverleaf design of 2 years

earlier, the District had saved land but had to raise the interchange to three levels to provide the needed service. They criticized aspects of the plan, arguing that the design, coupled with the new 11th Street Bridges across the Anacostia River, was not appropriate for a “major gateway to Washington.”

Finally, NCPC conditionally approved interchange “C,” endorsing the “concept” but expressing concerns not only about the height of freeway structures, but ramp connections, landscaping, and proximity to buildings. [Eisen, Jack, “Planning Panel Quarrels On Scope of Its Advice,” *The Washington Post and Times Herald*, July 24, 1964; “Interchange For Freeway Is Approved,” *The Washington Post and Times Herald*, July 25, 1964; Lewis, Robert J., “Freeway Leg Wins Approval,” *The Evening Star*, July 24m, 1964]

The District commissioners approved construction of interchange “C” on August 4, 1964, with contracts to be advertised in November.

(By mid-1966, construction was underway on some ramps of interchange “C,” but relocation problems were delaying other parts of the project.)

Shortly after the District commissioners approved interchange “C,” the city opened the last 3 miles of the 8-mile Anacostia Freeway on the east side of the river. Without ceremony, the District opened the freeway, from Firth Sterling Avenue, SE., to Pennsylvania Avenue, SE., on August 7, 1964. The completed freeway provided a north-south bypass of downtown from the Woodrow Wilson Memorial Bridge on the Capital Beltway to the Baltimore-Washington Parkway and U.S. 50 to Annapolis.

The new freeway contained what the *Star* described as “several built-in booby traps” for commuters coming from the north:

If they are used to coming down the freeway to Pennsylvania avenue or Eleventh street S.E. to turn west to reach downtown, they are going to discover their last turnoff now will be at East Capitol street.

If they miss this turnoff, they will become “freeway captives” and will have to go on across the Woodrow Wilson bridge to Virginia [where they could turn north to reach the city on Shirley Highway].

Or they will have to turn east, get off the freeway, hunt around for a detour turnaround on the Anacostia street system, and then head back west to reach downtown.

Signs would warn motorists that their last turnoff to downtown was at East Capitol Street. [“New Anacostia Route Closes Popular Cutoffs,” *The Sunday Star*, August 2, 1964; “Anacostia Freeway Now Open All the Way,” *The Washington Post and Times Herald*, August 8, 1964]

The lack of additional exits ramps to downtown stemmed from the District’s inability to secure permission from NPS to allow connections through Anacostia Park west of the river.

The Tunnel in the Sky

After traveling over the route of the North-Central Freeway in a helicopter, Chairman Funk of the Maryland State Roads Commission was convinced the freeway could be built on “stilts” over the Baltimore and Ohio Railroad tracks. The plan would reduce demolition of homes and businesses and avoid dividing communities that were not already split by the railroad.

Post editors congratulated District and Maryland highway officials “for a notable, if somewhat belated, display of imagination and sensitivity to the community’s interest.” It would cost more than the original plan that involved demolishing over 1,000 homes, but “there are many kinds of cost in highway construction.” Funk’s plan “represents a substantial advance in highway engineering here.”

The editors suggested, “The helicopter is becoming the symbol of a political commitment.” [“An Elevated View,” *The Washington Post and Times Herald*, June 12, 1965]

At a time when the Senate was considering the proposal to require authorizations for highway projects before appropriations, Engineer-Commissioner Duke met with Senator Tydings, one of the authors of the report language, on June 25 to discuss the District’s freeways. During the 65-minute meeting, General Duke and the Senator discussed the Inner Loop and the North-Central Freeway, with the engineer commissioner displaying photographs of construction.

The meeting concluded with Senator Tydings saying he wanted more information. They planned to travel over the area by helicopter, although the aerial view does not appear to have taken place. [“Duke Briefs Tydings on Highways,” *The Evening Star*, June 26, 1965]

On September 25, 1965, NCPC staff released a draft 1985 Comprehensive Plan for development of the District of Columbia. One premise of the plan was that the city’s population would increase from its estimated 803,000 residents in the mid-1960s. The plan set a goal of holding the city under one million residents by 1985 – to 950,000 people. Priority should be given to “improved quality of living environment rather than to accommodating a significant population increase.”

The plan relied on transportation as the backbone of its proposals to pull the city’s disparate elements into reasonable patterns. Freeways were an important element of the plan, as were extensions of rail rapid transit to create a 110-mile system. For downtown, future developments “must reflect major shifts in accessibility resulting from the new basic transportation systems under construction and scheduled for development during the next decade. Freeways, with careful design and tunneling, would protect residential areas by pulling cut-through traffic off local streets.

Planning staff recommended several of the city’s controversial freeway segments, such as the entire Inner Loop Freeway system, including the North Leg Freeway on an alignment north of downtown along a route not yet determined. Staff endorsed the North-Central Freeway, a Palisades Parkway on the north bank of the Potomac River, and a “vehicle-carrying facility” in the vicinity of Three Sisters Islands; the term implied the facility could be a bridge or tunnel.

(Chairman Rowe, who opposed the bridge, was refusing to put it on NCPC's agenda.) They also endorsed a Potomac River bridge between Bolling Air Force Base and a point south of National Airport. In short, staff endorsed the planned 29-mile Interstate System.

The draft plan described the freeway plan as "moderate," and said it was designed to ensure "the fullest possible use of transit." Rail rapid transit would include extensions, as Lee Flor summarized:

Under the staff proposals for expansion of the subway system there would be an extension toward Annapolis, following the route of the Baltimore & Ohio Railroad line from the end of the National Capital Transportation Agency line at Kenilworth Avenue and Benning Road. The extension would have an entirely new station near Sheriff Road and Minnesota Avenue NE.

There would be an entirely new branch line to serve Anacostia Center. This would come off the NCTA line at Fifth Street and Pennsylvania Avenue SE, to a station in the Naval Weapons Plant, another near Anacostia Center at Good Hope Road and Nichols Avenue, and one at Alabama and Pennsylvania Avenues.

The NCTA line, using a railroad branch north from Union Station, would be extended from its planned end at Woodside to Rockville.

Another extension would start from the NCTA Columbia Heights line and extend north along Georgia Avenue to a terminal with the other NCTA line to Rockville. New stations would be at Missouri and Georgia Avenue NE and near Georgia Avenue and Upshur Street NW.

There would be an extension out Wisconsin Avenue, with new stops at Nebraska and Western Avenues.

In northern Virginia, the Rosslyn line would be extended out toward Fairfax City. There would be another extension of the Pentagon line out along the railroad tracks to Springfield.

For downtown Washington, the plan also recommended a second rail rapid transit line south of the National Mall:

It would have three new stations, one near Independence Avenue and Third Street SW, a second near the large "Junior Pentagon" being built along Tenth Street south of Independence, and a third in the Federal Triangle, near Tenth Street and Pennsylvania Avenue NW.

As Flor pointed out, this line had been in NCTA's 1962 plan, but had been discarded in the bobtail plan.

He summarized the overall rail rapid transit plan environment by NCPC staff:

The NCPC is not giving out any official figures on costs for the transit extensions. However, the entire transit system would be around 110 miles, compared to the \$431 million, 24-mile approved system.

Based on prior information about the contents, Peter Craig denounced the highway recommendations. He charged that NCPC staff had simply adopted the traffic projections and other information provided by District highway officials, instead of developing independent forecasts and adjusting the system accordingly. NCPC staff denied his charge, telling reporters they had used their own judgments.

The draft 1985 Comprehensive Plan covered many subjects. It proposed centralization of Federal activities in the city rather than dispersing them to its suburbs. As described by Lee Flor, the draft plan called for facilities to accommodate the increased number of government workers:

Planners see the federal government requiring new buildings to accommodate about 300,000 persons. This would mean new space about equal to the amount now existing, except for tempos and other outmoded structures.

This forecast of construction needs derives from an expectation that in the next two decades 150,000 more federal workers will be employed in the metropolitan area, and that new space also will have to be provided to replace existing worn-out offices now occupied by about 50,000 employees. [sic]

Worker accommodations would be placed, according to the proposals, as follows: Within the city, 150,000; outside the city, 50,000.

Federal development within the city would accommodate 50,000 workers in the center proposed along South Capitol Street; 50,000 in clusters on the fringe of the business district, such as at 12th Street and New York Avenue NW, as well as along Pennsylvania Avenue and at other central sites, and 50,000 outside the central area but still inside the District, at subway stops and other locations.

The plan also sought strict controls on off-street parking in the downtown area. By not meeting demand for parking spaces, planners hoped to shift people out of automobiles and into rapid transit. "It would be inappropriate for the Nation's Capital to be dominated by its circulation system."

Staff Director W. C. Dutton, in transmitting the draft to the NCPC commissioners, wrote, "It is my hope that the report will stimulate widespread community discussion leading to consensus on the issues raised."

In releasing the draft for public review, Chairman Rowe said, "the Commission itself has not taken a position." She wrote:

Washington can have no ordinary plan. Although it shares the problems of many of the country's other large cities, it is unique in its functions, its site, its history and its plan.

She added that the area was fortunate to have the Federal Government overseeing development. [Flor, Lee, "Transportation Viewed as Backbone of D.C.'s Future," *The Sunday Star*, September 26, 1965; Eisen, Jack, "City Planners Push Three Sisters Span In 20-Year Program," *The Washington Post and Times Herald*, September 26, 1965]

Except for the Palisades Parkway and the Three Sisters crossing, all of the freeway plans would be east of Rock Creek Park. Director Airis endorsed the planners' freeway proposals in an interview on September 29. He said that freeways east of Rock Creek Park would be less disruptive than freeways proposed for construction west of the park.

The North-Central Freeway was the key to serving the Maryland suburbs. If built wide enough, possibly 10 lanes, it would have a chain reaction on city streets. First, it would reduce peak period traffic on arterials such as 16th Street, Wisconsin Avenue, and Connecticut Avenue. That shift also would reduce the desire of frustrated drivers to shift onto side streets in neighborhoods such as Chevy Chase, Cleveland Park, American University Park, and Brookland. "Give us the freeways," he said, "and we can start talking about improving the bus service, providing reserved lanes and all that." He added, "Now we just can't do it." [Eisen, Jack, "Road Plan See Easing Residential Street Load," *The Washington Post and Times Herald*, September 30, 1965]

Nine citizens groups from throughout the area released an analysis prepared by Peter Craig on October 9. They wrote to President Johnson and congressional and local leaders to object to a statement in the President's budget for the District of Columbia that the freeway program was based on plans for a 98-mile rail rapid transit system. The budget claimed the system would shift commuters off the freeways, a theory that made the freeway plans reasonable.

The organizations Craig represented said that the 1985 forecast by District, Maryland, and Virginia highway officials was "either a deliberate attempt to undermine the official planning goals for the Nation's capital or else is the product of gross incompetence." They called for a halt to all freeway construction until an objective reappraisal of planning assumptions behind the freeway could be conducted. ["9 Citizens Groups Ask Halt of Freeway Work," *The Sunday Star*, October 10, 1965]

On November 17, Chairman Funk unveiled a 6.3-mile, 107-foot high walled-in structure carrying the North-Central Freeway, rapid transit, and railroad tracks in Maryland. The "elevated express transport compound" would run from Rhode Island Avenue to the Capital Beltway along the Baltimore and Ohio Railroad tracks, with room on the roof for parks, heliports, and cafeterias. The transportation modes would be arranged in tiers, with the railroad on the bottom, rail rapid transit or high-speed buses next, followed by two tiers for the freeway. The structure would not require the taking of homes and, because it would be built over an existing railroad, would not disrupt the community.

Peter Krajcinovic, a 65-year old Yugoslav bridge engineer employed by the engineering firm Beam, Inc., had submitted the proposal to the Maryland State Roads Commission on his own, not under contract to the State. Funk said the engineer had developed a relatively inexpensive construction method using pre-stressed concrete and pre-stressed steel. Krajcinovic estimated

that the 6-mile structure would cost \$13.5 million a mile – less than the \$20 million a mile for the original 10-lane plan.

Funk said the plan was being “seriously considered” to solve the problems blocking construction of the North-Central Freeway. “It’s the logical solution to our difficulties if we can work out some problems at the interchanges and some problems at the interchanges and some engineering problems,” Funk said. “And right now it looks like we are going to be able to work them out.”

Funk had discussed the idea with Director Airis. District highway officials had not had a chance to review it, but he planned to send copies of the proposal to Airis for examination. [Barnes, Bart, “‘Tunnel in Sky’ Plan Seen as Solution to North Central Area,” *The Washington Post and Times Herald*, November 18, 1965; “Multilevel Freeway Above B&O Studied,” *The Evening Star*, November 18, 1965]

Officials were not certain how Takoma Park would react to construction of a 107-foot high “wall” through the city, but they did not have to wait long to find out. On November 19, the Save Takoma Park Committee called for Funk to be fired because of his “shocking disregard for citizens.” The committee said the plan would “make Washington the laughing stock of the world.” Roderick F. Davis, the committee’s head, said, “Even if we do need a freeway, we don’t need something that will make a four-story apartment building look like a match box.” Sammie Abbott said, “It’ll make the Berlin wall look like a country fence.”

Peter Craig, asked about the proposal, said the time had come “for city planners to stop planning for more cars.” Downtown already had too many.

Byron Sedgwick, who headed Montgomery County’s Planning Board, had a more positive reaction. He said, “It’s a new concept and an exciting one.” But he added, “Of course you know it’s going to be higher than an 11-story building.”

Airis, who had not been available for comment when Funk unveiled the Tunnel in the Sky, said he had spoken with Funk about it. If Maryland adopted the plan, the District would consider it. “We’re going to leave no stone unturned in our efforts to work out a freeway and rapid transit route over the B & O corridor where there will be a minimum of displacement.” [“Takoma Unit Asks Firing of Funk In Freeway Row,” *The Evening Star*, November 19, 1965; Barnes, Bart, “Arguments Flow Anew On New Freeway Plan,” *The Washington Post and Times Herald*, November 19, 1965]

Wolf Von Eckardt also did not need long to form his opinion. In “A Critique,” he said “we can’t allow a 6.3-mile long, 107-foot high Chinese wall to divide our communities.” He called it a “monster” that would “only cause exhaust problems, divide communities worse than ever and look uglier than sin.”

Officials should “bend every effort to cut this thing down to size and make it as invisible as possible.” Good creative designers would conclude:

The subway and railroad and even the freeway could, at least in substantial stretches, be tunneled or sunken. Above ground the two freeway decks won't always have to run atop each other. In stretches they could run parallel.

What we would come up with in the end are light, airy ribbons and spans, elegantly rising and falling, dipping underground and emerging and spreading and joining. It could be quite handsome.

The subway stations would provide room for Krajcinovic's cafeterias and heliports as well as "some greenery." With these adjustments, the freeway "might yet develop into something that would not just be useful but also attractive." [Von Eckardt, Wolf, A Critique, "Corridor 'Air Tunnel' Labeled Monstrous, Unnecessary Wall," *The Washington Post and Times Herald*, November 19, 1965]

On November 22, Funk said the idea also might work in Baltimore, which was experiencing the same types of problems as the District of Columbia. "I think it has a lot of potential in areas that [Baltimore] would not like to have destroyed and where the necessity for a narrow right of way is great."

Back in the District, Airis revealed that the city had hired Skidmore, Owings and Merrill to help in "the initial conceptual" stages of reviewing the tiered highway plan. The goal was to minimize "displacement of people and industries" while integrating the freeway facility into the urban landscape." [Associated Press, "Elevated Freeway Eyed As Ideal for Baltimore," *The Washington Post and Times Herald*, November 23, 1965]

The *Star's* editors had their doubts. Citing Funk's comment that the plan "might work," the editors wrote:

If he means this *specific* scheme "might work," our advice is firm: Forget it. This kind of engineering, apart from all the technical questions which spring to mind, Washington can do without.

If he meant that using air rights "might work," they said, "we're with him." They added, "Innovations in highway planning do not have to be silly to be imaginative, or to produce incalculable savings in land, in money and in avoiding community disruption." ["Highway in Orbit," *The Sunday Star*, November 28, 1965]

NCPC met in the District Building on November 30 with civic associations in the North Central section of the city to discuss the draft 1985 Comprehensive Plan. One of the most frequent questions was: "Why do we need both a freeway and a rapid transit system?" Why, they asked, did they need the "potentially disruptive" North-Central Freeway paralleling the railroad when rapid transit would "get people in and out at peak hours."

Sydnor F. Hodges, NCPC's assistant director for comprehensive planning, explained, "Vehicular traffic is inevitable. A metropolitan area needs both plans." Transit would take care of commuters during peak hours, but the highways were needed, he said, for the in-between hours.

[Murphy, Betty, "Civic Groups Voice Fears On Planning," *The Evening Star*, November 30, 1965]

The Maryland State Roads Commission's Patrick J. McCaffrey, assistant chief of the Bureau of Highway Information, replied to the *Star*'s editorial "Highway in Orbit." He appreciated the endorsement of the idea of using air rights over the railroad. "It was this principle, a vertical freeway," that Funk was endorsing in his interview. The commission had not committed to any concept for the North-Central Freeway, and would not do so until it received reports on the corridor from J. E. Greiner Company, Alan Voohees and Associates, and Wilbur Smith and Associates. The reports were due after January 1, 1966.

No one knew the results. Washington was "facing the all but unsolvable problem of finding space and corridors to place the various types of transit it needs" without disrupting the community. "Innovation is indeed needed." [McCaffrey, Patrick J., 'Highway in Orbit,' Letters to the Editor, *The Evening Star*, December 18, 1965]

Chairman Funk met with Airis on December 21 to discuss the four-level "transportation compound" idea. They conceded that citizens might be right that the four-deck stack would be an ugly "Chinese wall" that would divide the communities the Sky Tunnel passed through. Without revision, it would be unacceptable. However, they thought the stacking concept might be useful with some revisions. They were considering ways to reduce the height of the structure or build a stacked facility that would be elevated in part, at ground level in some locations, and underground in others. Along those lines, they had asked the architectural firm of Skidmore, Owings and Merrill to study the concept Von Eckhardt had proposed.

While the Funk proposal was "undergoing major surgery," as the *Post* put it, the newspaper said one thing was clear:

The original North Central Freeway proposal – a route just east of the B&O tracks that would have displaced 570 families in Washington and 720 in suburban Maryland – was shelved after citizens groups assailed it at public hearings a year ago.

Funk and Airis did not expect a decision on the revised transportation compound idea until studies were completed in 1966. [Barnes, Bart, "Highway Chiefs Take Down-to-Earth Look at 'Sky Tunnel' Plan," *The Washington Post and Times Herald*, December 22, 1965]

In George Lardner, Jr.'s first Potomac Watch column in December 1964, "Freeway Pushed on Basis It Is All Things to All Men," he had discussed the North-Central Freeway:

The mammoth expressway will have four lanes going north, four lanes going south and two lanes in the middle that will shift directions with rush-hour traffic

The consultants who recommended the route have pictured everything imaginable on it. Housing developments could stretch across the top. The two reversible center lanes could one day be set aside exclusively for rapid rail transit or express buses.

A freeway, in short, designed to be all things to all men—except to homeowners in its path.

NCTA, he noted, had rejected the center lanes for its rail rapid transit system, preferring an alignment along the Baltimore and Ohio Railroad tracks, but use by buses was possible:

To be sure, D.C. Transit's O. Roy Chalk is quite keen on them. And officials of Downtown Progress estimate that five-bus "trains" could carry as many as 27,000 passengers an hour on a single freeway lane set aside for them with stations along the route. The buses would uncouple in the suburbs to serve individual neighborhoods.

Such dreams for the future seem to assume that the motorists who use the Freeway's center strip to zip down from the Beltway will quietly fold up their Volkswagens and steal away.

Officials considered the North-Central Freeway inevitable because it was the only one planned between the District and Montgomery County, but Lardner pointed out that saying no other freeways are planned is not the same as saying "none will be sought over the next 20 years, a promise that has not and could not be made." Still, the 90-10 Interstate program was coming to an end in 1972, supposedly. "There'll be an effort to keep the interstate program or something like it going as sure as there's a highway lobby to make the try." [Lardner, George, Potomac Watch, "Freeway Pushed on Basis It Is All Things to All Men," *The Washington Post and Times Herald*, December 21, 1964]

Under the Potomac River Freeway

On December 29, 1965, District highway officials announced they would use \$10,000 from the Highway Beautification Act of 1965 to hire Doxiadis Associates to plan development of the Georgetown waterfront area. The firm, which had developed the Downtown Progress plan in 1962 for the downtown core, was to plan park areas, residential and commercial buildings, pedestrian access, and recreation facilities for the area from K Street to the Potomac River between Key Bridge and Rock Creek and Potomac Parkway.

Planning chief Grant said the first stage would be to integrate existing facilities with a desirable development of the waterfront and Georgetown. The firm was to complete this work in 45 days. The next phase included providing for shops and residences under the Potomac River Freeway, which was to be built adjacent to Whitehurst Freeway, and creation of a yacht basin that would include restaurants and other facilities that would invite pedestrians to explore the area.

The Georgetown Planning Council, consisting of 35 architects, city planners, and landscapers, wanted to replace the elevated Whitehurst Freeway and the planned Potomac River Freeway with tunnels. On December 30, the council urged the District Department of Highways and Traffic to broaden the Doxiadis study to include the tunnels:

Unfortunately, the report seems to indicate that Mr. Doxiadis is not being allowed to consider the total question Our studies indicate it would not be possible to make an

elevated freeway tolerable by “decorations” or by any other superficial treatment—or by supposing the good quality land uses will be attracted to its shadows.

Council chairman and architect Walter G. Peter, Jr., noting the plan to widen Whitehurst Freeway from four lanes to eight, said that unless the city removed the freeway, “the beauty of the river and the Federal City will be marred forever.” He said the 20-year old elevated steel structure was tolerable in an industrial area, but “would be intolerable among residential uses.” In thinking about the waterfront, he said, the council had come “to the conclusion that the first and most important step to a proper solution is removal of the Whitehurst Freeway.”

At the same time, the Department of the Interior was considering whether to designate the waterfront a national historic site. Doing so would give the department a say in how the waterfront would be developed. [Dimond, Thomas, “Georgetown Waterfront Planner Hired,” *The Evening Star*, December 29, 1965; Morgan, Dan, “Doxiadis Assigned to Plan Park at Georgetown’s Shore,” *The Washington Post and Times Herald*, December 30, 1965; Lewis, Robert J., “Georgetown Unit Urges Removal of Freeway,” *The Evening Star*, December 30, 1965]

Post editors compared the Georgetown waterfront to “an unattractive heiress,” saying “the ugly cluttered segment of Georgetown below M Street does not lack suitors.” It “could bloom into real beauty,” but the question was “how best to transform the industrial jumble.” Based on past battles over urban renewal in the area, the editors suggested that a solution “will not come easily”:

The District Highway Department, which would like to gain acceptance for its proposed Potomac River Freeway, has commissioned Constantine Doxiadis to provide plans for a park along the river’s edge that will distract attention from the bulky scar of road across the area.

The plan from Doxiadis, who had an office in lower Georgetown, “will be welcome, for the idea of a park along the river bank is sound and should be incorporated in planning for the area, no matter who administers the facelifting.” [“On the Waterfront,” *The Washington Post and Times Herald*, December 2, 1966]

Like the *Post* editors, the *Star*’s editors were clear about the purpose of the contract. It was intended to find a way of “accommodating the Potomac River Expressway within an attractive park and recreational environment along the Georgetown Waterfront.” The editors disagreed with the Georgetown Planning Council’s idea of removing Whitehurst Freeway and the parts of the Potomac River Expressway already built, and burying any thoroughfare across Georgetown in a tunnel. “Freeways need not be buried to be attractive.” What was missing in the District’s highway planning was “imaginative, pleasing design, not merely of the roadways but of their surroundings, and the Georgetown waterfront offers an ideal challenge for a test of this theory.” As highway officials sought to navigate the many controversies over planning freeways, the editors thought:

An attractive, attainable plan for rejuvenating the Georgetown waterfront could be an enormous help in ending the controversy. ["Life on the Waterfront," *The Evening Star*, January 4, 1966]

In selecting Doxiadis Associates to conduct the study, District highway officials were gambling because the principal owner, Constantine Doxiades, had often spoken about the problems urban expressways caused. A well-known city planner from Greece, he had said in 1961 that cities would be choked to death by the new expressways. They should be built outside cities, with only short connectors to downtown. A year later, he told the Potomac Chapter of the National Association of Housing and Redevelopment Officials:

Most of the downtown committees of businessmen advocating more highways are helping to kill the downtowns. By bringing in more highways they are bringing in more cars and are making it more difficult for people to walk, with the result that more people are moving out of the city.

In September 1963, Doxiadis pointed out that London was "full of modern, high-speed vehicles. Yet they can cross London only at the speed of a horse-drawn bus." Similarly, Los Angeles "has built some splendid new thruways, but every one of them has attracted more cars and increased the traffic problem." After studying 6,000 years of city planning, "we find that man cannot live next to noise and fast speed without developing mental problems. Ten miles an hour he can live with. Modern speedways must be removed from the residential areas." ["New Roads Seen Choking U.S. Cities," *The Evening Star*, October 30, 1961; "Downtown Stores Are Cautioned On Expressways," *The Evening Star*, December 6, 1962; Pearson, Drew, "The World's No. 1 City Planner," *The Washington Merry-Go-Round*, *The Washington Post and Times Herald*, September 9, 1963]

In 1963, Doxiadis Associates, headquartered in Athens, and operating in 17 countries, opened a United States office in Georgetown along the towpath of the Chesapeake and Ohio Canal at 1058 Thomas Jefferson Street, NW. The 150-year old building had once been a Masonic temple. Doxiadis said:

We decided to purchase and remodel this structure because of its human scale and peaceful setting by the canal. Here were combined some of the elements which would make it possible to express in a most tangible way the human sort of urban life to which our firm is dedicated.

(In 1964, Chloethiel Woodard Smith and Associates moved to 1049 Thomas Jefferson Street, NW., after being evicted from the firm's Dupont Circle location that was being replaced by an office building. The Jefferson Spring Service Company occupied the ground floor of the building, which had been built in 1925. The architectural firm occupied 7,000 square feet on the second floor that had served as a beer warehouse and photography laboratory, but had lain vacant for years. [Eckardt, Wolf Von, "Architects' New Offices Enhance Towpath," *The Washington Post and Times Herald*, March 15, 1964])

As recently as December 16, 1965, Doxiadis, appearing on the NBC television program *Meet the Press*, had said of urban problems, “We should not forget that the final solution is going to be to separate completely the machine from man. These two completely different elements can not coincide in the same space.” He said the “most livable” city in the world was Venice, Italy. “It is the city which has not been invaded by high-speed machines, and thus it has kept the human scale which it had in the past. This is our task: to give human scale to our cities.” [“Expert Tells How to Save Cities,” *The Washington Post and Times Herald*, December 27, 1965]

This, then, was the man who would make recommendations to the District Department of Highways and Traffic on the future of the Georgetown waterfront.

The Georgetown Planning Council appeared before NCPC on January 7, 1966, to present its ideas for the waterfront, with the key being replacement of Whitehurst Freeway. The council’s Philip Huber, a former NCPC planner, referred to the city’s plan to widen the freeway to eight lanes. “It’s like Cyrano’s nose. It can’t be overlooked and it can’t be camouflaged.” Removing the eyesore was critical, and the best way to do so was to rebuild the freeway in a tunnel under the Potomac River. The six-lane tunnel would parallel the waterfront, go under the water at K Street and Rock Creek and Potomac Parkway, and emerge from the riverbed 1,000 feet west of Key Bridge. Doing so, Huber said, would be aesthetically pleasing and economically desirable. It might cost \$30 million, but removing the elevated freeway would allow for additional development that would repay the tunnel’s cost over a 25-year period.

Grosvenor Chapman, the council’s secretary, said that no matter how well designed, an eight-lane elevated freeway would be a blighting influence. He compared the waterfront situation “to a fully ripe melon - it is a matter which must be served or it will spoil.” [Lewis, Robert J., “Planners Ponder Proposal for Freeway Under Potomac,” *The Evening Star*, January 8, 1966; Clopton, Willard, “Tunnel Whitehurst, Georgetown Group Tells City Planners,” *The Washington Post and Times Herald*, January 8, 1966]

The Georgetown Planning Council met with Secretary Udall for over an hour on January 17, 1966. The council’s goal was to convince him that it was “now-or-never” time to declare the waterfront an historic landmark. He also was “sympathetic and very interested” in the tunnel plan. He suggested the group prepare a detailed land use plan and seek the backing of other parties. He planned to ask NPS Regional Director Jett to work with the group.

After the meeting, Chapman said the council believes the waterfront should be preserved while accommodating through traffic. “The council estimated the proposed six-lane tunnel would cost \$31.5 million, but Chapman said the city’s estimate was \$40 million for an eight-lane tunnel. Moreover, Whitehurst Freeway did not meet Interstate standards, he said. “We are flexible about the tunnel’s size.” However, widening the Whitehurst Freeway now by building a parallel structure would merely postpone the time when it would have to be rebuilt or replaced.

Chapman said, “The initial cost of the tunnel will be more than an elevated freeway, but in the long run the cheapest element is seldom the best.” He added, “Our preliminary analyses show that the additional cost of the tunnel will be largely offset by the increased value of the land, which will be recaptured and revived.” He explained that a full economic study would “reveal

that our proposal is the practical thing to do.” He hoped to have a plan ready in time to present it to the February 10 meeting of the Policy Advisory Committee. [Hailey, Jean R., “Udall Adds His Support For Georgetown Tunnel,” *The Washington Post and Times Herald*, January 18, 1966; Hornig, Roberta, “Whitehurst Tunnel Plan Stirs Udall’s Interest,” *The Evening Star*, January 18, 1966]

A day later, the Committee of 100 on the Federal City voted to support the council’s plan, but with a caveat. The committee agreed on demolishing Whitehurst Freeway, but said it supported the council’s riverbed tunnel only “if necessary.” Peter Craig advised the committee that he thought that a replacement freeway might not be needed. He pointed out that the opening of the Theodore Roosevelt Bridge had reduced traffic volumes on Key Bridge and Arlington Memorial Bridge. Retaining the elevated freeway “tended to perpetuate” its existence when it could be demolished without causing traffic problems. [Lewis, Robert J., “Fight to Raze Freeway Gains Added Impetus,” *The Evening Star*, January 19, 1966]

(The Department of the Interior approved National Historic Landmark District status for the Georgetown waterfront on May 28, 1967. That same day, the department added the historic district to the National Register of Historic Places.)

The Potomac Crossing

On January 6, 1965, the *Post* published a letter from Peter Craig, listed as chairman of the Northwest Committee for Transportation Planning. His target was the District’s new Six-Year Public Works Plan. The highway component “has been increased by \$127 million in the past year,” with \$100 million of the increase “budgeted for acquisition of right-of-way to replace private property with 8, 10 and 12 lane ‘interstate’ freeways now deemed essential by the District’s highway planners for what they style a ‘balanced transportation system.’”

When Congress approved the National Capital Transportation Act of 1960, Craig wrote, “the price tag on the District’s highway program was about \$560 million, including about \$320 million of so-called ‘interstate’ freeways.” Since then, the ‘interstate’ component had grown by over \$400 million. “Where once the District’s highway planners proposed 30 lanes of ‘interstate’ freeways between Washington and Virginia or Maryland, they now have added 32 more.”

District highway officials, Craig wrote, often lamented the city’s ranking behind most States in “completing” its Interstate freeways. “The ‘lag’ is solely because new highway projects are added faster than former ones are completed.” Craig concluded his letter:

In the long run, public works must meet a public need. And the public’s reaction to the two most recent brainchilds of the highway planners—Three Sisters Bridge and the North-Central Freeway—documents that while the public accepts the need for rapid transit, it will not tolerate the doubled dosage of ‘highway improvements’ presently being concocted. [Craig, Peter S., “Double Highway Dosage,” Letters to the Editor, *The Washington Post and Times Herald*, January 6, 1965]

Although Craig focused on the District highway budget, the decision on the Potomac River crossing also affected I-66 in Virginia. Without a new bridge, I-66 traffic would have only one option for crossing the river: the six-lane Theodore Roosevelt Bridge with its restriction on truck traffic. Meanwhile, BPR and Arlington County had agreed in the fall of 1964 on a 10-lane stretch of I-66 between Dulles Access Road and Glebe Road, with the assumption that a second six-lane crossing, designated part of I-266, would be built to carry overflow traffic as well as trucks.

John E. Harwood, now the Virginia Highway Department's Chief Engineer, said, "If there is no bridge, we'll have to look at the question of highway width and design once more." [Flor, Lee, "Bridge Fuss Casts Doubt On Width of Route 66," *The Evening Star*, January 15, 1965]

The Three Sisters Bridge may have been the generic name but where it would be built was still in debate as 1965 began. Officials in Virginia and the District were considering three alternatives:

1. Between Key Bridge and Three Sisters Islands,
2. Downstream of Key Bridge, and
3. Upstream near the Georgetown Reservoir.

Construction across the islands had been abandoned.

On March 4, Harwood said that his staff preferred the location between Key Bridge and Three Sisters Islands. They preferred this alternative because it conformed best to Arlington's master plan and would serve traffic better than the other alternatives and require less taking of property. This location, which consultants estimated would cost \$9.5 million, involved tunneling through the Palisades on the Virginia side. Arlington County Manager Johnson also had endorsed the location. ["Central Crossing of Potomac Now favored by Virginia," *The Washington Post and Times Herald*, March 5, 1965]

On March 17, the District's Policy Advisory Committee voted 5 to 2 to recommend construction of a Potomac River crossing near the Georgetown Reservoir. The vote endorsed the consultant's plan 3, the farthest upstream of the firm's recommendations.

Committee members supporting plan 3 were:

- Charles M. Duke, engineer commissioner, District of Columbia
- William Walton, chairman, Commission of Fine Arts
- C. Darwin Stolzenbach, administrator, National Capital Transportation Agency
- John Kohl, assistant to the administrator, Housing and Home Finance Administration
- Joseph Barnett representing BPR

Opposing the location were:

- Mrs. Elizabeth Rowe, chairman, National Capital Planning Commission
- George B. Hartzog, Jr., director, National Park Service

General Duke said that plan 3 was best for serving traffic and offered the most promising site for an attractive bridge. As Walton put it, “A bridge can be a beautiful thing.”

According to Wolf Von Eckhardt, the committee rejected plan 1 because it would require “a spaghetti maze of ramps across the river” and plan 2 because “it would string a concrete ribbon diagonally across the Potomac.” Its length, “the Committee majority felt, would spoil the view of the river.” By contrast, plan 3 offered “an opportunity for enhancing the landscape”:

The Committee was impressed with the Highway Department’s willingness to do just that. Its chief, Thomas F. Airis, presented several sketches of possible designs. The most daring and handsome of them was a soaring arch in the middle of the river from which the bridge would hang from cables.

Even more encouraging, committee members felt, were the Highway Department’s efforts to tame the highway along the shore. Its preliminary sketches called for construction that would tuck the maze of necessary ramps under the Palisades.

The whole mess of roadways would stay below the old streetcar tracks and would not disturb the new Georgetown Day School and other buildings. This would be accomplished by means of a tunnel near MacArthur Boulevard, a sharp U turnaround for the upstream lanes and stacking some of the lanes on top of one another It does not simply cut a swath through the landscape but makes use of engineering ingenuity to cause the least possible disturbance.

Hartzog wanted to defer action for several reasons, including the possibility of studying whether to allow trucks to use the Theodore Roosevelt Bridge. He was concerned about the effect of the bridge on the Georgetown waterfront, especially with Whitehurst Freeway already in need of additional lanes. He also feared that increased traffic would eventually add pressure for a highway through Glover-Archbold Park.

As for NCPC Chairman Rowe, she doubted the need for another river crossing and, like Hartzog, recommended additional study.

The crossing would enter Arlington between Danville and Edgewood Street before connecting with I-66 at Lorcom Lane. Arlington County Board Chairman Fisher said the committee made “a very bad decision—very bad, indeed”:

I am not convinced that another crossing is needed at this time in this area. I question the way the traffic estimates were made. What we need next is a rapid transit crossing and we should digest that before we think of another bridge.

This is a case where the highway lobby with their associates in various positions of government are running roughshod over the wishes of the people most directly affected. I will continue to oppose this.

If a bridge were needed, the board favored the downstream location near Three Sisters Islands.

The Virginia State Highway Commission, in a unanimous vote, tentatively approved the plan 3 location on March 18. Commissioner Fugate told the commission that the Virginia Highway Department had favored the location crossing Three Sisters Island. It was “more in line” with what seemed to be the least objectionable crossing as far as the Arlington County Board was concerned. “However, we have been hampered by the Board[‘s] . . . objections to any bridge.” He added:

I’m reluctant to go ahead with something of such great moment to a Virginia county without letting the Board have a final say. I recommend we give tentative approval for this crossing.

Although the board was scheduled to consider the location on Saturday, March 20, the prospect for change was not good. Board Chairman Fisher said Arlington was “still very much opposed” to plan 3:

We voted unanimously against it. We think a case for another bridge crossing has not been approved [and] that Plan 3 is the most damaging to Arlington.

It cut into a very fine, well-established neighborhood and it would violate a most beautiful part of the Palisades by cutting an enormous gap right through them, filled with concrete lanes of highway.

[Pierce, Charles D., “Upstream Site Backed For Potomac Bridge,” *The Evening Star*, March 18, 1965; “Three Sisters Span ‘Tentatively’ Voted By Highway Board,” *The Washington Post and Times Herald*, March 19, 1965; Von Eckhardt, Wolf, “8-Year Battle Over Site For New Span Rages On,” News Analysis, *The Washington Post and Times Herald*, March 20, 1965]

On March 19, NPS Director Hartzog held an unusual midnight meeting to tell Fisher the NPS would reverse its position on prohibiting trucks from the Theodore Roosevelt Bridge, undercutting the argument that the additional Potomac River bridge was needed for trucks. NPS also would support plans to add a double deck to Chain Bridge and expedite construction of an additional 14th Street Bridge span and widen George Washington Memorial Parkway between Roosevelt Bridge and Arlington’s Spout Run Parkway.

As expected the board opposed plan 3, voting unanimously to:

- “Reiterate its overwhelming opposition to any new bridge at this time” because the greater need was for rail rapid transit.
- “Specifically oppose a bridge at site 3 as being one that would have the most devastating impact on Arlington County,” citing the loss of 127 homes and the cutting of a “huge gash” in the Potomac Palisades.
- “Urge that new proposals by the National Park Service be studied carefully” before further consideration of an additional crossing.

Having adopted those views, the board voted in support of a plan:

If and only if it is determined that a bridge is to be built, we urge the Virginia Highway Commission to support the bridge crossing in the general area of Plan 2 as modified by the County Manager as being the least devastating to Arlington County.

As Fisher put it:

This is a truly excruciating situation. We don't know how much voice we have in this matter, but if we don't make some choice, we may deal ourselves out of the game.

Twelve speakers addressed the board, all urging opposition to all three recommended sites. [Cheek, Leslie III, "Arlington Board Opposed To Any New Bridge Now," *The Washington Post and Times Herald*, March 21, 1965; Kelly, Brian, "Arlington Board Fighting Upstream Site for Bridge," *The Sunday Star*, March 21, 1965]

Several problems delayed further action. The Virginia State Highway Commission's "tentative" approval gave pause because the Arlington County Board was not likely to change its view to support plan 3. However, NCPC and NPS posed a more direct threat. NCPC chairman Rowe refused to put the decision on the agenda, where it likely would be approved. Instead, Rowe preferred to wait until the results of a new NPS study. NPS had selected Clarkeson Engineering Company to study whether alternatives, such as improving existing bridges, another span at 14th Street, and better approaches, would alleviate the need for the new crossing.

George Lardner referred to the Clarkeson firm as a "familiar name on several dusty District highway reports" and said that by this point, the "firm . . . now can join what ought to be called the American Association of Consultants on How to Cross the Potomac." He added:

The new study hardly promises to be a model of coordinated transportation planning but perhaps it was inevitable. It takes elaborate footwork to get a decision out of the Planning Commission nowadays.

As for General Duke, Lardner said he "seems to wince whenever he's asked about bridge building." He had the "uneasy expression of a man on the verge of discovering that he's been marching backward instead of forward." Like District highway officials, he saw the NPS study as a stalling effort. After meeting with Rowe and Hartzog, Duke said, "I have been given no indication that the bridge will come before the Planning Commission anytime within the next few months."

NPS officials hoped the study could be completed by early August. Already, District highway officials had been asked to supply data, "no doubt a painful chore."

Lardner understood that the crossing was a serious matter for those who might be displaced. However, he said that, "politically the situation right now can best be described as a farce without a finale":

Once Clarkeson makes his report, the District Highway Department will probably want to make a study of that. Each side may succeed only to the extent of killing off the other's suggestions. Not even a good five-cent ferry could weather that kind of transportation

planning. [Lardner, George, Jr., “Battle Over Bridge Keeps Duke on Go,” Potomac Watch, *The Washington Post and Times Herald*, June 4, 1965]

As it happened, NPS had not awarded the contract. In an August 22 article about “human error,” the *Post* reported that when “it was first discovered that the contract for the study had not been awarded, a Service spokesman said it was because the expert it thought best qualified to do the job was ill.” However, regional director Jett “also said that the Park Service will vigorously oppose what it regards as wanton highway construction.” The article quoted Jett as saying, “We’re park people living under a conservationist concept. If we can eliminate a highway, we will; if we can tunnel it, we will.” In view of NPS opposition, the article explained, “its reluctance to find more than one expert for the study is a part of that long-term opposition based upon conservationist ideas.” [Plate, Thomas, “You Can’t Mow Human Error,” *The Washington Post and Times Herald*, August 22, 1965]

On October 14, the Policy Advisory Committee met for 3 hours at the District Building to follow up on Secretary Udall’s suggestion for a meeting. Participants refused to comment on the discussions. [Dimond, Thomas F., “Aides Quiet On Bridge, Loop Talks,” *The Evening Star*, 1965]

As discussed earlier, some positive ideas emerged from the secret meetings that followed, but not regarding the Potomac River crossing. When 1966 began, officials had not decided whether to build the I-266 Potomac River crossing or, if so, where to put it.

Walter J. McCarter To The Rescue

On May 6, 1965, the White House announced the departure of C. Darwin Stolzenbach as NCTA administrator. His successor would be Walter J. McCarter, 65 years old, who had retired as general manager of the Chicago Transit Authority a week earlier. McCarter was at his retirement home in the Virgin Islands when the White House announced his appointment.

With McCarter’s arrival, NCTA would, for the first time, have a transit professional at its head. He had headed the Chicago Transit Authority since its creation in 1965 until his retirement. He had previously managed transit systems in Cleveland and Milwaukee.

Jack Eisen described McCarter as a “gum-chewing, bristle-haired official, who is of stocky build.” He was pro-transit “without being anti-highway.” He had helped organize the Institute for Rapid Transit and still served as its unpaid president. “This group was the nucleus for lobbying efforts [on] behalf of the Administration’s mass transit bill, approved last year.” McCarter had been in Washington frequently promoting the legislation.

He thought the Federal Government had, in Eisen’s words, “made hash of urban transportation” by financing freeways alone, without the balance provided by space-saving rapid transit.” After interviewing McCarter in 1959, Eisen had called him “Chicago’s evangelist of rapid transit.” He listed some of McCarter’s accomplishments:

Among his pioneering creations as head of the Chicago Transit Authority was the Congress Street Expressway – now officially called the Eisenhower Freeway – which was

the first (and as yet the only) interstate road to incorporate both highway lanes and transit tracks.

Its creation involved some hard bargaining with highway officials because the road wiped out an obsolescent elevated line. Now the two-track line in the freeway median is capable of handling more people than the eight-lane road.

McCarter also has made certain that two other Chicago freeways save space for transit, whether rail or bus.

He also proved that feeder service, an oft-cited obstacle to rail transit, can work. As Chicago abandoned the Nation's largest streetcar system—the last line disappeared in 1958—McCarter arranged the new bus routes to feed the subway and “el” lines

The result: Half of the former streetcar riders now reach the congested Loop by train. Half as many transit vehicles congest downtown streets.

He had, in short, “welded the Windy City’s rival, sagging elevated and surface systems into a modern, integrated bus and rail rapid transit network.”

In announcing the appointment, President Johnson said, “We are fortunate in having been able to persuade Mr. McCarter to take charge of the construction of a rail rapid transit system for the Nation’s Capital.” His knowledge and experience, the President said, “will be invaluable.”

In a letter to Stolzenbach, the President accepted the resignation, which had been dated July 13, 1964, with “a real sense of regret.” He praised Stolzenbach for developing a “sound and financially feasible rail rapid transit plan.” He continued:

Your term with the agency has been a period of major progress toward the resolution of transportation problems of the National Capital region. The agency has prepared a solid foundation from which the construction and operation of a balanced transportation system can proceed.

Stolzenbach had accepted a position with a recently-formed Bethesda consulting firm, Davidson, Talbert and McLynn, Inc., as an operations research specialist on urban transportation.

McCarter flew to Friendship International Airport where he was met by NCTA officials who escorted him to Washington. His primary goal was to find a place to live; he did not want to hold a press conference until the Senate confirmed his appointment. [Eisen, Jack, “White House Shakes Up Transit Unit,” *The Washington Post and Times Herald*, May 7, 1965; Flor, Lee, “Transit Agency Chief Arrives To See Officials,” *The Evening Star*, May 7, 1965; Eisen, Jack, “McCarter: Evangelist, Practical Innovator,” *The Washington Post and Times Herald*, May 7, 1965]

During his confirmation hearing before the Senate District Committee on May 13, McCarter said he “was as reluctant as I thought I could be in good conscience,” but accepted the nomination because, “I was ham enough to think my contribution could be useful.” He added that after

President Johnson signed the Urban Mass Transportation Act of 1964, he gave McCarter one of the pens. “I want another pen—one used for signing the Washington transit bill.” He was reluctant to leave retirement, but after receiving a personal request from President Johnson, “I couldn’t take that lightly.”

Asked by Chairman Bible about his philosophy on transit planning, McCarter replied, “I came here to work, not to study.” NCTA’s current proposal “was an excellent start.” [Flor, Lee, “‘Came Here to Work,’ Transit Nominee Says,” *The Evening Star*, May 13, 1965; Lardner, George, Jr., “McCarter: I’m Ham and Fighter,” Potomac Watch, *The Washington Post and Times Herald*, May 19, 1965]

The committee approved the nomination unanimously on May 18. Following Senate confirmation, McCarter took the oath of office on May 24, before about 30 NCTA staff and guests, including Engineer Commissioner Duke and Stolzenbach. McCarter said he was a “man in a hurry” to get the system built. “I don’t know that I will succeed, but I will do my best.” He said that “the big barrier, of course, is the big barrier of most things – money.” He hoped Congress would pass President Johnson’s bill and that Washingtonians could be riding the subway by 1971. Actually, he said, “I’m hoping to move faster.” For now, he walked to his office overlooking Farragut Square from his new apartment on Thomas Circle.

Lardner said the “fast-talking transit executive” would not have to learn the lesson that Stolzenbach had learned too late:

Stolzenbach teamed up with highway critics far more devoted to fighting freeways than promoting rail transit. The headaches have been blossoming ever since. Stolzenbach tried to duck, but that didn’t help.

By contrast, McCarter understood that rail transit could not relieve traffic congestion until it’s built. He said, “The only thing I’ll fight about is to get rapid transit. And I don’t like to fight unless I have to.”

He suggested, “Talk to any highway man in Illinois about me.” One of them, Representative John S. Kluczynski, the Chicago-based chairman of the Subcommittee of Roads, knew and endorsed McCarter. He had won “the esteem and support” of freeway advocates in Chicago, especially during the discussions leading to the transit line in the median of the Eisenhower Expressway. In Representative Kluczynski’s opinion, the appointment of McCarter “bodes well” for the President’s rail plan. [Lardner, George, Jr., “McCarter: I’m Ham and Fighter,” Potomac Watch, *The Washington Post and Times Herald*, May 19, 1965; “Nominated Transit Head Wins Praise,” *The Washington Post and Times Herald*, May 14, 1965; Flor, Lee, “‘Came Here to Work,’ Transit Nominee Says,” *The Evening Star*, May 13, 1965; [“New Subway Chief, Man in a Hurry, Has Hope of Beating 1971 Schedule,” *The Washington Post and Times-Herald*, May 25, 1965]

Professor Schrag said of McCarter’s appointment:

Like Bartholomew, he was a Midwesterner [from Indiana] whose qualifications came not from Washington political experience but from professional expertise—he had a reputation as the “Dean of the Transportation World.” McCarter had just retired to the Virgin Islands, but President Johnson’s famous arm-twisting brought him back to the mainland.

As a pure transit man, McCarter was seen as less likely to go meddling into highway planning than loose-cannon Stolzenbach. One lobbyist recalled him as “a kindly old gent who sat back, pulled on his pipe, and got along with everybody.” Shortly after his appointment on 21 May, the D.C. division of the American Automobile Association, long an antagonist to Stolzenbach, welcomed the new administrator with a gift shovel for ground breaking

At the White House, Horsky noted with relief that “the appointment of McCarter to succeed Stolzenbach was well received [in the House of Representatives], and should enhance the prospects for the bill.” [Schrag, pages 60-61]

On June 1, the National Capital Democratic Club held a reception for Stolzenbach at the Sheraton Carlton, sponsored by General Duke and NCPC Chairman Rowe. Speaking before 200 guests, Horsky told Stolzenbach, “We owe a lot to you.” The rail rapid transit program had “come a long, hard way” since Stolzenbach took office in May 1961. “There were a great many ups and downs but you always kept the program going. Now you’re turning over to Walter McCarter a program that we all can happily, cheerfully endorse.”

McCarter told the guests, “I appreciate the fact that Darwin has done all the work.” McCarter had come to Washington to build a transit system, not plan one. “Darwin has laid a marvelous foundation—we’ll go on from there.”

Stolzenbach said he was particularly proud of the planning staff he had assembled. “I think it was the best in the country, and there is still a wonderful nucleus here for carrying on the program.” [Flor, Lee, “Stolzenbach Is Praised At Farewell Reception,” *The Evening Star*, June 2, 1965]

Chairman Whitener wanted his subcommittee to approve the bill on June 9. In closed session, the subcommittee rejected amendments by Representatives Multer and Dowdy intended to increase private enterprise’s role in the system. Before the subcommittee could complete work, however, the specter of O. Roy Chalk intervened.

At the start of the session, each member of the subcommittee found a letter and telegram from Chalk on his desk calling for further study in view of the selection of McCarter to head NCTA. “In light of this important change, it might be wise to consider reappraisal of the entire situation since the recommendations of the former Administrator are clouded with serious doubts.” He would, he said, “applaud” the bill if it were amended to propose full private operation of the subway, a unified bus-rail system, increasing and guaranteed profits, city financing of all subway police, and a 20-year extension of D.C. Transit System’s franchise to 1996.

The subcommittee did approve one Chalk amendment to permit continuation of bus routes that competed with subway lines. However, the subcommittee's work was interrupted when Representative O'Konski made a point of order that forced adjournment at 11 a.m, when the bell rang signaling that the House was in session an hour early. As Eisen explained, "For a committee to meet while the House is in session without specific approval is a technical violation of House rules honored often in the breach." The maneuver was seen as a favor to Chalk. [Eisen, Jack, "Subway Measure Action Delayed in House Committee," *The Washington Post and Times Herald*, June 10, 1965]

The delay was temporary. On the following day, the House District Committee voted 18 to 3 in favor of the bill. Representatives Multer and O'Konski, considered allies of Chalk, and Representative Roudebush, who opposed rapid transit anywhere, were the three opponents. They reportedly voted against the bill because of financing, private enterprise, crime, and other issues.

In a closed session, the committee rejected several Chalk private-enterprise proposals. They provided for extension of the company's franchise for 20 years with a guaranteed net operating income; required NCTA to acquire D.C. Transit System within 180 days after approval of H.R. 4822; and designated the company the sole operator of a unified transportation system for the region, including rail rapid transit.

However, Chairman Whitener's subcommittee added language guaranteeing the rights of private bus companies if the transit system was constructed. The committee also voted to delete the Administration's language calling for elimination of bus lines competing with transit lines.

The White House had taken an active role before the session, in contrast to its inaction before the 1963 vote. Administration officials called committee members to urge them to attend the closed session, a step reserved for the President's high-priority bills.

Chairman Whitener told reporters that the committee had changed its strategy on bringing the bill to the House floor. Normally, the bill would be brought up on a regularly scheduled twice-monthly "District Day," held on Mondays when most Representatives, who had little interest in District bills, were out of town. Instead, he planned to ask the Rules Committee to schedule a midweek vote for late June.

He knew the vote would not be easy. "I'm sure there will be spirited opposition and I'm hoping there will be spirited support." Representative Nelsen, the ranking Republican, agreed, but was optimistic. "Mass transit is a must for the District of Columbia I think this time we'll see a different situation than we did the last time we had a vote."

White House advisor Horsky said the committee's vote "bodes well" for success in the House, while McCarter, appearing at a AAA luncheon in the Mayflower Hotel, said, "I see absolutely no conflict" between freeways and rail rapid transit. "I do feel that people should have a choice." He cited his experience in Chicago as illustration. The *Post* summarized:

With almost no freeways in 1956, he said, 85 per cent of the 317,454 persons who were downtown at 1 p.m. on a typical afternoon got there by some form of transit, 49 per cent by rapid transit or railroad. The balance, 15 per cent, got there by automobile.

By 1963 all of Chicago's planned freeways were completed, he said, and transit's share of the 268,506 persons downtown was 89 per cent, including 71 percent by modernized rapid transit or railroad.

The same day of the committee vote, NCPC approved, 5 to 4, a \$65 million portion of the Center Leg Freeway between D, 2nd, and 3rd Streets, and New York Avenue, NW. McCarter's NCTA deputy, John Rannels, voted on the Administrator's behalf against delay as if to underscore McCarter's message to AAA.

The vote took place after what Lee Flor called "an impassioned debate between commission members. Chairman Rowe and member Thiry urged delay for at least 2 months, raising questions about whether the freeway could be tunneled or at least built a few feet below the surface. Thiry pointed out that District highway officials had provided a model to NCPC only 2 days earlier, not allowing sufficient time for study.

General Duke pointed out that the Commission of Fine Arts had approved the freeway design after extensive review. He added that the segment was part of a larger freeway that NCPC had approved numerous times.

The vote might have been different if Walter Louchheim, who was ill, had been present. He typically voted with Chairman Rowe on freeway issues. A tie vote would have delayed the decision as she wanted. [Eastman, Sam, "House Group Clears Bill on Rail Transit," *The Evening Star*, June 10, 1965; Eisen, Jack, "House Unit Approves Subway Bill," *The Washington Post and Times Herald*, June 11, 1965; Flor, Lee, "\$65 Million Freeway Leg Is Approved," *The Evening Star*, June 10, 1965

The Committee on the District of Columbia released a report on H.R. 4822 on June 21. After discussing aspects of the bill, the report concluded that:

The Committee agrees with President Johnson that the program which would be made possible by H.R. 4822 is needed and is vital to the welfare of our National Capital Your committee and the Congress have long recognized that if a modern subway rail rapid transit system is to be developed in the Nation's Capital, it is squarely up to the Federal Government to take the first step. Your committee is satisfied that the Agency's estimates concerning construction costs, traffic, revenues, and operating expenses of the proposed system have been well prepared and are reasonable

In the judgment of your committee, the time for action has arrived. There is no questioning the soundness of the investment. The rail rapid transit lines and related facilities are essential for the preservation of the beauty, dignity, and livability of the National Capital, for the welfare of the people of the District of Columbia, and for the orderly future development of the National Capital region. [Rail Rapid Transit for the

National Capital Region, Committee on the District of Columbia, U.S. House of Representatives, 89th Congress, 1st Session, Report No. 536, June 21, 1965, pages 24-25; the discussion of Chalk amendments, mentioned earlier, is on page 21; the NCTA report is reprinted as appendix A, pages 33-55]

Representatives O’Konski and Roudebush provided their minority views urging the House to reject the bill. Among other things, they said:

- Make no mistake, this poorly conceived underground boondoggle is only a foot in the door – a legislative Trojan horse The larger system will unquestionably have a price tag – including interest – in excess of \$2 billion, all of which – in the final analysis – will be paid for by the Federal Treasury – bonds, grants, and Agency propaganda notwithstanding.
- It is said that the bonded debt would be paid for out of the farebox – that the program will be self-liquidating. What incredible foolishness On the basis of current experience and trends of all subway operations in this country there is absolutely no justification for any claim that a subway here in Washington would be self-supporting; coupled with the fact that urban transit ridership generally has shrunk from 17 billion fares in 1950 to 9 billion in 1960, such a claim is ludicrous.
- Now the planners of the transit system claim that 14 subway stops will fulfill the role of 640 bus stops. Really?
- If H.R. 4822 is enacted into law in its present form, it will haunt the Congress for many years because it established unequal and preferred treatment for the District of Columbia, Maryland, and Virginia which is not available to other cities and States.
- Operating losses should be defrayed from the general tax collections of the District of Columbia and not by the Federal Government. If the operational figures as presented are sound, there can be no objection to this, and there should be no difficulty in effecting sale of the bonds.
- Business people, property owners, and tenants along the route of construction of the subway will be faced with disruption during the 5 years of subway construction and financial damage will be extensive. The history of the construction of the Dupont Circle underpass will be repeated and it is predicted that many merchants and businesses will be forced to go out of business.
- Crime in the subway has become a major problem in every subway city, for the subterranean chasms and tunnels and the underground stations provide the perfect breeding ground for crimes of the most repulsive nature—rape, robbery, mugging, and murder—which fester in darkness The cost cannot be considered a transportation but a community cost. The bill does not provide for this.
- Let no one be misled by the estimated cost of the proposed subway. History proves that no planned expenditures of a major nature in the District of Columbia are kept within bounds.
- The facts are that labor will be definitely prejudiced by this legislation and by the developments which it envisages Thus, the present labor forces will be seriously curtailed. Wherein the benefit to labor lies is a mystery.

- This bill H.R. 4822 deliberately makes no provision for private enterprise – except in its mention of a management contract. The profit incentive is completely ignored.

The two Congressmen concluded:

There will be two systems operating in the District of Columbia if H.R. 4822 is passed – surface and subway. This city does not have enough riders, nor can a sufficient number be attracted, to permit either service to operate at a profit. This is simple economics; and yet it has been completely ignored by the sponsors of this legislation.

For the foregoing reasons, we are opposed to the enactment of H.R. 4822. [pages 63-75]

(The mention of Dupont Circle, NW., referred to construction of tunnels under and around the circle. In the late 1940s, Dupont Circle was considered one of the city's worst traffic bottlenecks, partly because of streetcars interacting with motor vehicles. John DeFarrari's book on District streetcars explained:

With three major avenues (Connecticut, Massachusetts and New Hampshire) converging on two other cross streets (Nineteenth and P), Dupont Circle was a perennial traffic bottleneck. Matters were made worse by the fact that streetcar tracks ran around only the west side of the circle, resulting in northbound streetcars running disconcertingly against the flow of automobile traffic. [DeFarrari, John, *Capital Streetcars: Early Mass Transit in Washington, D.C.*, The History Press, 2015, page 174]

(The placement of the tracks only on the west side of the circle dated to the days when streetcars were powered by horses; the west-side tracks shortened the connection to the O and P Street loop to Georgetown. This arrangement was satisfactory in the era of slow-moving, horse-powered streetcars, but less effective and safe with the faster moving, electric-powered streetcars. [DeFarrari, footnote, page 222]

(To resolve the perennial traffic nightmare, the District began construction in March 1948 on a \$3.7-million underpass project to provide a tunnel under the circle for motor vehicles moving north-south and tunnels around the sides for streetcars with platforms underground for passengers entering or leaving the vehicles. A 1961 retrospective in the *Post* described the scene:

[The] work began and it was not long before the circle was a morass of mud and clay, surrounded by detours and dotted with concrete mixers, steam shovels, scaffolding and piles of assorted unattractive materials.

(Through traffic, including trucks, had to be detoured while parking was restricted; only vehicles serving residences and businesses around the circle were allowed. Pedestrians had to watch their step. Alice Roosevelt Longworth, President Theodore Roosevelt's daughter, fell and broke her arm; she called the sidewalks "Rocky Mountain goal trails."

(The 1961 *Post* retrospective explained that the 3-year project "kept the circle looking for most of that period like a drag strip for bulldozers" Throughout construction, merchants complained of lost business and residents were inconvenienced:

Hardest hit, perhaps, were those Connecticut Ave. merchants whose patrons finally wearied of trying to shop where there was only rubble, rubble everywhere and not a place to park. Many of the businessmen operated for several years on the brink of insolvency and several toppled over

Seventeen Connecticut ave. merchants filed damage suits against the District because of their loss of business during the construction period (the suits later were thrown out of court)

(The northbound streetcar tunnel opened on November 2, 1949, with the southbound tunnel following on December 14. The motor vehicle tunnel opened on May 5, 1950. According to the *Star*, the result was that Dupont Circle contained “the world’s greatest concentration of traffic lights”:

The traffic lights around the circle have given pedestrians a source for new and salty gripes against traffic authorities. Frustrated by 60 “don’t walk” and “walk” red neon signals, pedestrians say the best years of their lives will be spent in angry idleness on safety platforms, if they obey the signals. In addition to the three score pedestrian lights, there are 26 red, green and amber lights to control the flow of vehicles traffic at the circle

It is virtually impossible for a law-abiding citizen to cross any street at the circle now in one continuous movement. The best he can expect is to reach a safety island and wait for another signal to flash before continuing to the opposite curb.

(Representative O’Konski was in Congress during construction of the underpasses, having been elected to the House in 1942. At the time, he lived at 2801 Pennsylvania Avenue, SE., and would not have been affected directly by the Dupont Circle construction project. Representative Roudebush did not become a member of the House until 1961, but he and Representative O’Konski likely remembered the closing of the streetcar tunnels when the last streetcars on the Mount Pleasant line were replaced by buses in December 1961 – and the articles recalling the harmful impacts during construction. (The motor vehicle tunnels under Dupont Circle remain in use.)

(City officials considered using the streetcar underpasses around the circle for bus traffic, but a study found that because the tunnels were narrow and curved, “buses could travel through only at prohibitively slow speeds.” In addition, “the limited visibility at the entrance and exit curves would pose driving hazards for auto traffic.”

(Initially, the tunnels were used as civil defense shelters, but eventually sealed. Efforts in recent years to repurpose them have, as of this writing, been unsuccessful.

([“Dupont Circle Traffic Rerouting Plan Goes Into Effect Monday,” *The Evening Star*, March 12, 1948; “Streetcar 1550 Adds a New First As It Opens Dupont Underpass,” *The Evening Star*, November 2, 1949; “1550 Leads Way; First Southbound Car in Underpass,” *The Evening Star*, December 14, 1949; “\$4 Million Dupont Underpass Opens for Automobile

Traffic,” *The Evening Star*, May 5, 1950; Eastman, Sam, “Dupont Circle Tunnels Eyed as Blast Shelters,” *The Sunday Star*, November 16, 1961; Clopton, Willard, “Bell Tolls for Dupont Streetcar Underpass,” *The Washington Post and Times Herald*, December 10, 1961; Kelly, John, “Subterranean Homesick Blues: The Story of Dupont’s Streetcar Tunnel,” John Kelly’s Washington, *The Washington Post*, June 6, 2015])

Representative Harsha offered the separate dissenting view that, “I cannot in all conscience concur with the contention that this rapid transit proposal is either economically or practically feasible.” He was not opposed to subways, but only to the “plan conceived by Mr. Stolzenbach, who has just been replaced as Administrator of the National Capital Transportation Agency.” He questioned whether using a concept dating back to the turn of the century was “the modern solution”; the objectivity behind the plan; the cost and completion estimates calculated “to justify a preconceived course of action”; and the accuracy of the operational budget. H.R. 4822 was “only the first bit – I see no alternative but for the Federal Government to guarantee any deficit, for we are all well aware that there is no intention on the part of the users to defray any of the cost.”

The Urban Mass Transportation Act of 1964 had not singled out cities for subways:

I say if the citizens of the District want a subway so badly, why haven’t they come up with a plan to shoulder the cost just the same as the citizens of your State? All they have done and ever do is hold out their hand and ask for Uncle Sam to give them the money. Let the subway be paid for out of the general tax base of the District.

He concluded:

A close, unemotional reading of the voluminous hearings on this proposal discloses many flaws, much glossing over of questionable statistics, and a continuous almost juvenile tendency to ignore both the sickness of urban rapid transit nationwide and the incredible cost that a Federal undertaking such as this one would most assuredly entail—official assurances to the contrary. I repeat, I am forced to vigorously dissent from the majority opinion. [Rail Rapid Transit for the National Capital Region, pages 76-79]

(Representative Harsha did not say so, but he was a leader in the fight against those in the Congress who wanted to tap the Highway Trust Fund to build rail rapid transit around the country and subsidize perennially money-losing operations. For more on his role, see *Busting the Trust: Unraveling the Highway Trust Fund – 1968-1978* on this Web site.)

D-Day for Transit

Because the House District Committee did not want to bring the transit bill to the floor on low-attendance Monday District Day, Chairman McMillan had to secure a resolution from the House Rules Committee. He appeared before the committee on June 23 for what the *Star* called “a one-minute hearing.” In that brief time, the Rules Committee granted his request for a 3-hour floor debate open to amendments. The House was set to consider several important bills, including housing and poverty bills, so H.R. 4822 would not reach the floor until after the July 4

recess. [Eastman, Sam, "Rail Transit Bill Sent to House Floor," *The Evening Star*, June 23, 1965; "City Subway Bill Cleared For Early House Action," *The Washington Post and Times Herald*, June 24, 1965]

Star editors were pleased. Although the House District Committee was often criticized, in this case "both the Whitener subcommittee and the full parent committee have done an excellent job." H.R. 4822 addressed most of the deficiencies that defeated the bobtail plan in December 1963. In addition:

Culminating several years of intensive effort, the most encouraging sort of progress has been made in developing the regional political machinery necessary to complete the system. Maryland already has approved legislation creating an interstate compact commission for this purpose. The prospects of concurrence by the Virginia General Assembly next year are bright. All this will go for naught, however, unless Congress authorizes the initial construction.

The editors were concerned by the dissenting views expressed in the committee report, which "question virtually every aspect of the proposal." The report addressed every point, but in a floor debate, "it is easier to raise doubts than to settle them." The editorial ended by saying, "we trust that the bill's sponsors are aware that the greatest threats to its passage are confusion or misunderstanding of its provisions on the House floor." ["Green Light for Transit," *The Evening Star*, June 29, 1965]

By contrast, O. Roy Chalk saw the green light as a warning to fight harder against the bill. On June 23, he published the first of several full-page ads in local newspapers. The headline:

Mr. Congressman: Private Enterprise Speaks

The "Subway Bill—H.R. 4822—comes up before you for vote early next week on or about June 29. We most respectfully urge that this Bill be passed only if certain fair-play amendments protecting the rights of private enterprise are included!

The text explained that D.C. Transit System had "given the District of Columbia and its environs the best surface rapid transit system with the newest and most modern air-conditioned equipment of any municipality in the world! Under the 'continuing interest' congressional clause of its franchise, it deserves your careful consideration."

Chalk asked the Congressmen, in the spirit of fair play, to consider four "private enterprise" amendments:

These amendments will not affect the objectives of establishing a rail rapid transit system in this community. These amendments will not increase the burden of financial involvement which the presently worded bill outlines. On the contrary, inclusion of these private enterprise amendments will undoubtedly result in a more efficient and effective operation and a lower than contemplated operational and construction cost. There can be

no doubt of the axiom that private enterprise is more cost-conscious than its counterpart government operation. A dollar in the hands of private enterprise often goes ten times as far and more than a dollar in the hands of government operator.

The four amendments, reprinted in full in the ad, would:

- Require that the system “shall not be operated except as a private enterprise operation under contract involving substantial investment of capital and facilities by private transit companies, private railroads or other private persons”
- To ensure fair play for transit operators in Maryland and Virginia, the second amendment stated that if unified bus and rail operation were required, “an election should be made promptly to such effect and not later than June 30, 1967.” If the vote results in acquisition of a private company, the purchase should be “consummated within one year thereafter.”
- If subway operation deprived any common carrier of income it otherwise would have received, “such loss of revenues would be compensable.”
- To correct “the shocking and bald-faced omission” in H.R. 4822, the fourth amendment directed NCTA “to negotiate with private enterprise representatives to design, engineer, construct, equip and contract for the construction of the system of rail rapid transit lines, equipment and related facilities”

In the concluding paragraphs, Chalk stated that “it is generally conceded that we have done a good job [from] the depths of a 1956 ‘impossible debacle’ covering a span of ten years.” Now, D.C. Transit System shared everyone’s goal: “A better transit system—better service to the public—and fair play for all!” After quoting the Section 4 provision stating that “the Congress will maintain a continuing interest in the welfare of the Corporation and its investors,” Chalk concluded the ad: “We anxiously await your decision on these “private enterprise amendments.” [*The Evening Star*, June 23, 1965, section A, back page]

Chalk also placed signs on the outside of the company’s buses beneath the rear windows reading:

“Mr. Congressman, Private Enterprise Needs Your Help.”

The District Department of Licenses and Inspections stated that the signs violated the District Code forbidding advertising in public spaces unless it advertises the business of the owner. The department thought the remedy might be to add a line stating “D.C. Transit urges,” because it would then be a case of a private business defending itself against public agencies. [“D.C. Cites Code to Bar Transit Plugs on Buses,” *The Evening Star*, June 28, 1965]

On July 1, 1965, representatives for 35 city and county governments in the Washington area held the first meeting of the 3C coordinating council for regional transportation planning, as required by the Federal-Aid Highway Act of 1962. (Takoma Park, Maryland, was the only jurisdiction not to participate.) It fell within the Metropolitan Washington COG, which had formed in 1957 to coordinate regional cooperation. The committee elected Fairfax County Supervisor Babson as the first chairman. [Flor, Lee, “Transit Coordinators Elect Babson of Fairfax,” *The Evening Star*, July 2, 1965; Schrag, page 103]

In early July, Representative Nelsen took the unusual step of writing to all Republican Representatives urging them to support H.R. 4822. The letter acknowledged that his support “might seem inconsistent” with his opposition to the Urban Mass Transportation Act of 1964. He opposed that bill because he, like many Republicans, thought cities should meet their own responsibilities:

But as ranking minority member of the House District Committee I’m fully convinced that the circumstances are entirely different. Constitutionally, Congress is charged with the exclusive legislative control over the District. With this control goes the grave responsibility of solving – through this concisely prepared bill – the ever-growing traffic problem in this area. We cannot shirk this responsibility.

We, and our people back home, have a very special interest in Washington. We expect that our National Capital will be second to none in its vitality, beauty, dignity and manner of development. I am convinced that this program is absolutely essential, and I commend it to you.

Representative Nelsen planned to send a similar letter to House Democrats. [Eastman, Sam, “Rapid Transit Bill Pressed,” *The Sunday Star*, July 4, 1965; “Subway Bill Is Given Key GOP Boost,” *The Washington Post and Times Herald*, July 5, 1965]

During this period, House and Senate conferees were meeting to resolve differences in the District budget bill. As discussed earlier, one of the sticking points was a Senate District Committee statement that the District Committees must approve each freeway project before the Appropriations Committee would consider appropriating funds for them. Speculation was that the issue might threaten H.R. 4822 when it reached the floor. *Star* editors wrote, “Whatever this obscure language may mean, and no one seems to know,” but House District Committee leaders strongly objected to it:

For the mischief it has caused already has spread far beyond the problem of confused highway financing. No doubt unwittingly, the authors of this silly provision are also responsible for a distinct new threat to Washington’s rail-transit bill, which is due in the House for a vote within the next two weeks.

Last Thursday, for example, Mr. Natcher stated flatly that the House Appropriations Committee has no intention of permitting the transit program to proceed at the expense of halting Washington’s freeway program. And the implication of that statement was that the Senate committee restriction is evidence of an attempt by transit advocates to block freeways.

The editors were not aware of any evidence for the claim; NCTA, for example, had cast the deciding NCPC vote allowing a segment of the Center Leg Freeway to proceed:

But there are also those in the community whose first concern is not with the transit program, but in stopping freeway construction at any cost. These people welcome the confusion that would be generated by another divisive highway-transit feud. Just as it

would be welcomed, for an entirely different motive, by Representative O’Konski, who is determined to scuttle the rapid transit bill in the House.

Why the authors of the language did not foresee the result – “giving aid and comfort to both these groups” – was not important at this point. “What matters is that they repair the damage before it is too late.” [“New Threat to Transit,” *The Evening Star*, July 5, 1965]

House leaders were optimistic. Majority Leader Carl B. Albert (D-Ok.) said that based on his information, the bill should pass. Chairman Whitener, who would be the floor manager for the bill, said, “It looks good, but it’s still a fight.” The Senate District Committee planned to hold hearings on the bill within weeks of its House passage.

President Johnson gave another boost to H.R. 4822 by informing Speaker of the House McCormack that the bill was on the Administration’s list of “must” legislation. The White House congressional liaison staff was pressing hard for the bill. The *Star* reported, “Congressional staff workers said they could not recall any matching White House drive for a local bill.” [“House to Get Subway Bill Next Week,” *The Washington Post and Times Herald*, July 10, 1965; Eastman, Sam, “Rapid Transit Bill Gets a ‘Must’ Tag,” *The Sunday Star*, July 11, 1965]

On July 12, a group of businessmen published a full-page ad in the newspapers:

FOR A BALANCED TRANSPORTATION SYSTEM ... D.C. Needs a Rail Rapid Transit System

The text was brief:

Dear Mr. Congressman:

You will shortly have an opportunity to vote for the Whitener-Bible Bill (H.R. 4822) which would provide Washington with a rail rapid transit system. This bill is of vital importance to the economic health of your Nation’s Capital. The businessmen of Washington strongly support this legislation for a balanced transportation system, and we appeal to you to vote for it. Your consideration and support will be very much appreciated.

Respectfully,

Nearly 80 prominent businessmen signed the letter, including Ulysses G. Augur of Washington’s popular Blackie’s House of Beef; Edward Burling, Jr., of Covington and Burling; architect Louis Justement; and national or regional officials of institutions such as Aluminum Company of America, Mayflower Hotel, The National Bank of Washington, Pepsi-Cola Bottling Company of Washington, Potomac Electric Power Company, The Riggs National Bank, Safeway Stores, Southern Railway System, United States Steel Corporation, and area department stores (Garfinckel’s, Hecht’s, Lansburgh’s, Woodward and Lothrop, and Sears, Roebuck and Company) [*The Evening Star*, July 12, 1965, page A-4]

Chalk's full-page ad appeared again on July 13 [*The Evening Star*, July, 13, 1965, B section, back page]

Star editors called July 15, 1965, "D-Day for Transit," as the bill neared House consideration:

The vigorous support the White House is giving Washington's revised rail transit bill is well deserved. No legislation in recent years has had more crucial, far-reaching importance to the Nation's Capital.

As for Chalk's claim that the bill was unfair to "private enterprise," the editors responded, "Nothing could be further from the truth":

The system would be designed and built by private engineering firms, under contract, with public dollars. The bill unequivocally requires that the system, under contract, be privately operated. The operating personnel would be employes [sic] of the private operator – not government workers.

Chalk could compete for contracts, if he wished, but clearly "it would not give Mr. Chalk the arm-lock on the rail system which he quite naturally desires." In 1963, he had tried to kill the whole system. Now he was trying to secure protective amendments. "Some of his demands are unnecessary. Some are simply preposterous. The House should resist them."

The editors praised "the strengthened leadership" of NCTA, as well as McCarter's recognition that freeways were needed in the area's balanced transportation system. "But he insists, and he is right, that rail transit is the only alternative to an endless proliferation of freeways which in time could become intolerable." The editorial concluded:

In moving this vital bill to the House floor, the full District Committee approved it by the overwhelming margin of 18 votes to 3. We trust that the House will grant its indorsement in as conclusive fashion, as an inducement to the Senate to complete action during this session. ["D-Day for Transit," *The Evening Star*, July 13, 1965]

On July 15, the House began considering H.R. 4822 by adopting House Rules Resolution 434 setting the terms of the debate. Chairman Whitener then introduced the bill. In addition to describing the bill, he said:

I would say, as a member of the Committee on the District of Columbia, that one of the most frustrating things I have experienced as a Member of Congress has been the problem as we legislate for the District in getting District citizens together on propositions which are before the Congress.

In this instance, however, it has been most gratifying to see such a unanimity of opinion on the part of the citizenship of this area. More than 400 official and private organizations filed statements supporting this legislation. As far as I know, only one business organization has raised a discordant note in connection with the legislation, and I am not here to criticize them because they have a right to do so. [National Capital Transportation Act of 1965, *Congressional Record-House*, July 15, 1965, page 17003]

(He did not mention O. Roy Chalk, but he was the apparent target.)

During questioning, Representative Gross asked who was going to provide the parking lot for the Pentagon City station near where he lived. Chairman Whitener replied that the parking lot was included in the estimated cost of the system:

Mr. Gross. Are the taxpayers of the country going to be saddled with a lot of expense of providing parking lots to serve the subway in Virginia?

Mr. Whitener. Of course, the gentleman knows that after the \$150 million is paid out of the District and Federal Treasuries, the fares paid into the fare boxes will pay the balance. The folks who use the system will be paying for it.

Mr. Gross. Will they pay for that the way they are paying off the stadium bonds?

Mr. Whitener. I believe they will do much better than that.

Mr. Gross. I am glad the gentleman so believes, but I am completely unconvinced that will be the case. [page 17006]

Representative Roudebush expressed his reasons for opposing H.R. 4822, promising that a motion to commit it to the House District Committee would be made later. "I intend to support such a recommittal motion. [pages 17006-17008]

Representative Multer said he would introduce what he called a "Let us face up to it" amendment:

The only way it can be done is by the U.S. Government or the Federal Treasury paying the cost of it. It cannot be done otherwise. Let us not camouflage it by saying the District of Columbia will give \$50 million of the entire sum toward the cost, because there is no such sum available to the District of Columbia unless it comes out of the U.S. Treasury.

So, let us face up to it. If this is going to be done, let us do it directly with U.S. treasury money I tell you the cheapest way to finance this, if it is going to be financed by borrowing, is let the U.S. Government do the borrowing on bonds that are sold to the public at the lowest possible interest rate you can get on those bonds when you issue them, and let them be paid by the U.S. Treasury.

He also would offer amendments to ensure precise language regarding private enterprise involvement in the project and an amendment assigning the cost of police protection to the District of Columbia. He also would introduce an amendment "to provide that anyone, man, woman, or child, business firm or corporation, that is damaged or injured by reason of the building of this subway will have a cause of action and have a right to sue the District of Columbia and be paid for whatever damages they may be able to prove in a court of law as a result of the building of this subway."

Regarding police protection, Representative Gross suggested, "Since the taxpayers of the Federal Government—your taxpayers and mine—are going to build this subway, why not put taxpayer supported marines or soldiers aboard to ride 'shotgun' on the subway cars?" Representative Multer replied, "I believe the gentleman knows the answer to that," but he added that this was a

civilian facility. Therefore, “we want a civilian and not a military police force.” [pages 17008-17009]

Representative Harsha expressed his concerns, saying “I cannot in good conscience concur with the contention that the rapid transit proposed in the present bill is either economically or practically feasible.” He could not believe that a technology dating to the turn of the century, “a plan already outmoded in many of our major cities, can offer a solution to our modern transportation needs unless there are major changes not apparent in the present plans.”

He was concerned about the financial structure of the bill “and the Federal participation which would establish an entirely new principle of Federal financing for the District of Columbia, on a project the estimates for which I question the accuracy with respect to cost, completion, equipment and operational budget.” The bill put the District “on an entirely different footing from the rest of the country in whose cities subways have been and are being built.”

Other concerns included that the bill did not provide “for the operation of the rapid transit system by what has been historically known as the free enterprise method,” that taxpayers from around the country would have to pay for extensions into Maryland and Virginia, and the cost estimate. Regarding the estimate, he cited the recent example of Dulles International Airport, “which was originally estimated to cost some \$14 million, and to date the Federal Government has spent \$120 million on this project.” He added, “Yet not one aircraft hangar has been constructed there.” [pages 17009-17011]

Representative O’Konski explained that that the question was not whether Washington needed a subway, but “who is going to pay for this thing.” The \$483 million covered in H.R. 4822, counting interest payments, was “just the first bite and the first lick Anyone who tells you otherwise is telling you a falsehood.” Eventually this bill, and its extensions would “involve the Federal Government in nothing less than a \$3 billion authorization and expenditure by the District of Columbia and the taxpayers of the United States.” He asked his colleagues to recall the old saying that, “Once you get your foot in the door you are at the point of no return.”

He asked, “Why should the people of Wisconsin, Minnesota, Illinois, Iowa, and Ohio vote today to put themselves on record as burdening and saddling the people of their States under this present program with the entire cost of the grants and the guarantee of the bonds”

As for the District paying its share, he said, “that is all poppycock because the District of Columbia does not have a dime in the Treasury. They are just going to come and ask us for more money and that means that the Federal Government is going to foot the bill entirely.” In contrast with districts around the country filled with hard-working, tax-burdened citizens, the District of Columbia was “a taxpayers’ paradise . . . a tax dodger’s paradise.” He illustrated:

The cigarette tax is 2 cents a pack in the District of Columbia. In Maryland, I believe it is 7 cents a pack. No wonder there is such a traffic jam. Everybody from Maryland is coming over to the Nation’s Capital to buy cigarettes. If we want to alleviate the traffic congestion, let us stop making the Nation’s Capital a tax dodger’s paradise.

The same was true for the gas tax, with Maryland and Virginia charging 7 cents a gallon, and the District, only 6 cents. “Yes, we would bring [the gas tax] up, but the bill has not yet passed.”

Representative Sisk asked him, “Whose fault it is that the tax has not been increased” on these or any other product in the District.” Representative O’Konski replied:

I think very largely it is the fault—or some of it is—of Congress, but some of it also goes to the door of all these millionaires who signed that ad in the Washington Post and the Washington Star, the president of Riggs Bank and all of those other people. They love this and they say it is wonderful for the city and it brings in big business. They even want the subway to bring in more business so that they can get cheaper beer and cigarettes.
[pages 17011-17012]

The debate continued, primarily in support of the bill, before the amendment process began. The District Committee introduced several amendments, the first being to add the statement:

Nothing in this Act shall be construed as altering or amending the Washington Metropolitan Area Transit Regulation Compact.

The second was:

Nothing in this Act shall be construed to affect any right to damages which any common carrier engaged in the private transportation of persons in the National Capital region may have by virtue of Public Law 757 of the 84th Congress (70 Stat. 598) or Public Law 669 of the 86th Congress (74 Stat. 537).

The protection accorded the private bus companies under the provisions of the National Capital Transportation Act of 1960 (74 Stat. 537), and particularly under section 205(a)(2) thereof, shall not be impaired by this Act.

(Public Law 757 approved the charter for D.C. Transit System. Public Law 669 was the National Capital Transportation Act of 1960.)

The House adopted the amendments, and a couple of typographical corrections, by voice vote. On this and later amendments, action would be by voice rather than a recorded vote, except as noted.

Representative Harsha introduced an amendment that he said “assures the Congress that those persons using the transportation system will have to pay sufficient fares to retire the bonds and meet the operating expenses.” Transit backers should not object; they claimed NCTA’s estimates that everything was paid for were accurate, so there should not be any unexpected costs to be financed. “On the other hand, if their estimates are not accurate . . . great pressures will be exerted to subsidize rather than raise fares.”

Representative Gross supported the amendment. “The States of Virginia and Maryland want a free ride out of this thing, no question about that. We build the bridges across the Potomac River for them, but do not get any free bridges across the Mississippi River into Iowa.” He cited the

District of Columbia stadium overruns as an example. “I got licked, and I have no doubt that the skids are greased . . . this afternoon to put this bill through.” On the assurance of expert consultants, Congressmen asserted on the House floor that the stadium would not cost the taxpayers “a dime for that white elephant stadium.” Similar experts had put their professional reputations on the line to assert that H.R. 4822 was fully paid for:

I said at that time that I did not care if a stadium was built at every street intersection in the District of Columbia, and I do not care today if you build a subway system east, west, north, and south in the District of Columbia, but I want the taxpayers of the District of Columbia and not the taxpayers I represent to pay the bill.

If his colleagues wanted to explain to their constituents why they should build a \$3 billion subway for Washington, “then you explain it to the citizens you represent. I want no part of it.”

The House rejected the Harsha amendment.

Representative Multer introduced the Chalk amendment calling for private enterprise to construct, alter, and repair the system. The House rejected the amendment.

Representative Dowdy offered an amendment calling for lease of the tracks, saying something similar had been done with the railroads in the 19th century. “If we are going to return to this 19th century concept for the transportation of people, this would be the way to do it.” The House rejected it.

Representative Roosevelt introduced Chalk’s bus and rail unification amendment. He explained, “it seems to me that in all fairness we recognize here that we are going to do something to going businesses.” The House rejected the amendment.

Representative Multer introduced an amendment that would require each contract for operation of the rail rapid transit lines to be approved by Congress. He assured his colleagues that this was not, as they probably thought, a Chalk amendment. He thought Congress should determine what went into the contracts advertised for operation of the system. He demanded a recorded vote on the amendment. The House rejected it, 11 to 93.

Representative Multer’s next amendment made the District of Columbia responsible for any court-awarded damages in the form of injury, death, or damage to property. The House rejected the amendment.

Representative O’Konski introduced an amendment to adjust the dollar amounts in H.R. 4822 that reflected the 66 and two-thirds percent Federal share in the Urban Mass Transportation Act of 1964. In all other matters, the Federal share of District expenses was about 12 percent. “This bill sets the pattern” for increasing the Federal share in areas beyond the subway bill. His amendment reversed the percentages, reducing the Federal share to 33 and one-third percent. Congress, he conceded, had a constitutional responsibility for the welfare of the Nation’s capital. “But nobody in his right mind has ever come up with a proposal that the Federal Government’s responsibility exceeds 33½ percent.” With the Congressman requesting a recorded vote, the House rejected the amendment, 31 to 92.

Representative Multer introduced an amendment that followed up on his earlier discussion of the District's lack of funds or bond authority to pay its share. "This amendment calls for the financing of this system by the U.S. Treasury making available to the agency whatever money it may need" The House rejected the amendment. [pages 17026-17034]

With amendments concluded, Speaker McCormack said, "The question is on the engrossment and third reading of the bill." It was so ordered. Representative O'Konski introduced his amendment to recommit the bill.

The Speaker. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. O'Konski. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The Speaker. The question is on the passage of the bill.

The question was taken; and the speaker announced that the ayes appeared to have it.

Representative O'Konski objected that a quorum was not present. After a count, the Speaker declared, "Two hundred and nineteen Members are present, a quorum."

Mr. O'Konski. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

The bill was passed. [pages 17034-17035]

Newspaper coverage provided color to the debate not apparent on the pages of the *Congressional Record*. Jack Eisen wrote that the bill was approved "with so little opposition that its foes could not even force a roll-call vote." As the 5½ house debate was coming to a final vote:

The House chamber was nearly filled as the time approached for a vote.

O'Konski moved to send the bill back to the District Committee for amendment—which would have killed it—but only 16 of the required 50 members stood up to indicate a demand for a roll call.

When O'Konski and Representative Thomas B. Curtis (R-Mo.) sought a roll call vote on final passage, only 42 stood up.

Then McCormack gaveled the bill through to passage on a voice vote so fast that members barely had time to respond.

(Representative Curtis is not cited in the record of the debate or its conclusion. Eisen may have been referring to Representative Donald H. Rumsfeld (R-Ill.) who received permission, immediately after the bill passed, to add his remarks to the record. In the added remarks, he objected to the voice votes on the bill. "I support this legislation and wish to express my concern that this measure, as so many other important measures, was approved by a voice vote rather than a recorded vote." He believed the public's business should be conducted in public and hoped that the Joint Committee on Organization of Congress will recommend holding recorded events on important matters. [page 17035])

In the gallery, Morris Fox of D.C. Transit System watched the debate. Asked by Eisen for comment, “Fox frowned and replied ‘No!’” NCTA’s McCarter also watched the debate. He said, “I’m very happy that we’ve taken the first step.” Deputy Quenstedt said, “I’m just overwhelmed.” [Eisen, Jack, “House Votes D.C. Area Subway Bill,” *The Washington Post and Times Herald*, July 16, 1965]

In the *Star*, Sam Eastman reported that the measure passed “late yesterday afternoon with an impressive display of strength,” citing particularly the failure to muster enough votes for a recorded vote.

Eastman reported that staff members of the Senate District Committee indicated that hearings on the bill would start on the following Tuesday, July 20. Senator Bible, the chairman, said:

This is a great day for Washington, and it will be greater the first day the subway cars roll down the track.

After many years of hard work in planning this effort, it is gratifying to me to see the first real signs of accomplishment. Now the job lies with the Senate [Eastman, Sam, “House Votes D.C. Transit Bill,” *The Evening Star*, July 16, 1965]

In the *Post*, Dan Morgan reported:

How did transit backers salvage victory from the shambles of the 1963 defeat of a similar measure?

Much of the credit goes to two men, Lawrence J. Hogan, the lawyer and public relations man who helped start the Joint Committee on Transportation; and Lawrence Henderson, who had helped steer the 1964 national transit measure through Congress.

If there was a starting point for last week’s victory, it might well have been the day in 1963 when Hogan took his friend, G. Yates Cook, vice president of the Federal City Council, to lunch.

The freeway advocates, including tire companies, the asphalt and roads construction industry, the bus lines, the trucking firms and the automobile associations, were at the throats of the subway advocates then.

“We decided that while they were fighting, Washington was suffering. Something was needed to calm the troubled waters,” Hogan said.

Hogan and Yates put together the framework for the joint committee and enlisted the Federal Council, the Washington Board of Trade, Downtown Progress, and the Washington Board of Realtors to participate. Their campaign included sending “canned” editorials for newspapers around the country to print to attract the attention of Members of Congress.

When Congress killed the bill in December 1963, the committee regrouped, hiring Henderson to help with congressional liaison. He “polled every Congressman to learn his position on the bill,

then ‘assigned’ a leading area businessman to work on every doubtful one.” He also arranged letter writing campaigns by civic groups. NCTA Deputy Administrator Quenstedt and Cody Pfanstiehl, NCTA’s director of public relations and community services, addressed area groups to ease resentment about the agency. In the end, these and other efforts helped build the widespread support that Chairman Whitener had commented on:

O. Roy Chalk, the influential head of D.C. Transit, remained pitted against the bill until the vote. But by that time, as a transit supporter put it, “he was just a voice crying in the wilderness.” [Morgan, Dan, “Intensive Lobby Pushed Subway,” *The Washington Post and Times Herald*, July 18, 1965]

According to Professor Schrag:

Congressional confidence in McCarter was crucial, for in July the stripped-down bill again went before the House. Whitener helped the agency tailor its plan to Congress’s frugal mood; later, after passage, he admitted that “legislative tactics,” more than transit engineering, had determined the shape of the proposed system. Responding to the critics of 1963, the new bill proposed a system that cost less, relied on a higher proportion of D.C. rather than federal funds, and specified private operation to preserve the rights of both labor and the existing bus companies.

Thanks to such adjustments, the agency found more friends and fewer opponents. O. Roy Chalk, head of the bus company, still ranted against a “socialist” subway, but the AFL-CIO, which had helped sink the 1963 bill, now endorsed the new version. The Federal City Council, relieved by Stolzenbach’s departure, mobilized its members – bankers, stockbrokers, university presidents, and an archbishop or two. Each visited four or five congressmen, quietly counting votes. Meanwhile, Whitener wrote to every member of the House not on the District Committee. Some were skeptical, but they replied that Whitener’s endorsement was sufficient reason to back the bill. Even then, Whitener feared the bill could not pass a roll-call vote. Eventually, he persuaded enough congressmen who opposed the bill but liked him to remain in the House cloakroom, and the bill passed the House on a voice vote. [Schrag, pages 62-63]

The bill that passed the House authorized funds that would require separate congressional action to appropriate the funds. Until then, the funds would not be available to NCTA. Eisen told *Post* readers:

Washingtonians can now look forward to their first subway ride as early as the middle of 1970, but a bumpy stretch of legislative track must be crossed before that schedule can be met

Once the bill is enacted, the White House must ask for money. And Congress must provide it.

Rep. Winfield K. Denton (D-Ind.), who heads the Appropriations subcommittee that passes upon NCTA fund requests, is a critic of the Washington subway proposal. During Thursday's debate he expressed worry that it would lose money.

And Representative William H. Natcher (D-Ky.), who heads the District Appropriations Subcommittee, has expressed misgivings about the subway. He wants to be positive it will not interfere with freeway construction.

If Congress approved the funds by Labor Day, NCTA could meet its timetable for opening the first segment:

Howard W. Lyon, NCTA's engineering chief, said the first six months would be taken up in preparing standards, design criteria and specifications and making more detailed site and soil studies.

By next spring the first contracts would be let to consulting engineering firms for preparing designs. The first construction contracts would be let in mid-1967.

Three years later, in mid-1970, the first line—from Benning Road and Kenilworth Avenue ne. to Northwest Washington, either out Connecticut Avenue or through Columbia Heights—would be running. This would serve D.C. Stadium, the Capitol, the downtown shopping area, Farragut Square and Dupont Circle.

The other lines, to the Pentagon, Silver Spring and Northwest Washington, would be running by January, 1972. [Eisen, Jack, "1st Stretch of Subway May Open in Five Years," *The Washington Post and Times Herald*, July 17, 1965]

Post editors thought the vote was "an outstanding demonstration of responsible government of the city." The city was "greatly indebted" to Chairman Whitener for "the skill and perseverance" he devoted to the bill. The editors also praised Representative McMillan and Nelsen, as well as "three suburban Congressmen, Mr. Broyhill, Mr. Mathias, and Mr. Sickles, who otherwise do not frequently agree." The Johnson Administration deserved credit for its "steady and characteristically forceful help." In addition "the highly effective work of lobbying and community organization carried on by Washington citizens, especially the joint committee, "was incalculably important to the bill's success." As the editors stated:

The Washington subway bill embodies the common concern for a Capital increasingly incapable of handling the volumes of traffic funneled into it If a subway proves that it can move people around this metropolis more efficiently, more comfortably and more rapidly than surface transport, then the Washington system will give hope to every afflicted city in the country. ["Votes for the Subway," *The Washington Post and Times Herald*, July 17, 1965]

Star editors were, of course, delighted. As others had pointed out, the "handful of members" who tried to water down or kill the bill, "were defeated on every test, so sharply that at the end they could not even gather the slight support needed for a roll-call vote"

The editors credited the White House, which “threw its full weight behind the bill – with the ball carried this time by professionals, not the White House amateurs who so often manage District legislation.” The strengthened NCTA leadership helped, the bill “was vastly improved, and Chairman Whitener “did an excellent job.” Just as important, if not more so, was that “the idea has finally taken hold that rail transit is not a dream, but an urgent necessity for the well-being of the Federal City and the great metropolitan community surrounding it.”

The editors made the significance of the event clearer:

It is hard to exaggerate the benefits which may spring from the House vote on Washington’s rail transit bill. The subway system, when it is built, will make this city an infinitely more accessible and useful place.

Much remained to be done before then:

But the most important hurdle was cleared yesterday in the House of Representatives. It was indeed, as Senator Bible commented later, “a great day for Washington.” [“A Great Day for Washington,” *The Evening Star*, July 16, 1965]

Senate Review

The assumption had always been that if the National Capital Transportation Act of 1965 passed the House, it would find easy going in the Senate. Now that the House had approved the bill, Senate Bible opened a hearing on July 20 to consider H.R. 4822 and its Senate counterpart, S. 1117, introduced by Senator Tydings. The chairman expressed personal satisfaction in opening the hearing:

Washington, D.C., has no greater need today than an efficient, balanced transportation system to meet its main purpose – service to the public.

Mass transportation in the Nation’s Capital has held the attention of the Senate during the last four administrations. The problem is a visible one each day and each of us – oftentimes unfortunately – is a part of that problem Now I believe that we have a piece of legislation that hopefully the Congress can approve and that will be beneficial to all of us moving from place to place in the Washington area

There is no other feasible answer to this problem that has been suggested than to accompany the construction of planned highways with the construction of a rapid transit system. This is what Congress intended when it passed legislation 4½ years ago authorizing preparation of a rapid transit plan.

What Congress does – and I hope it will be done this year – will determine the Capital area’s transportation and traffic pattern for the next 75 years or more. Highways and rapid transit – we need them both and need them badly and I am hopeful that a cooperative attitude toward a common goal will prevail. [Rail Rapid Transit for the National Capital Region, Hearings before the Committee on the District of Columbia, United States Senate, 89th Congress, 1st Session, July 20, 21, and 23, 1965, pages 1-2]

He introduced Chairman Whitener, who hoped the Senate would join the House in approving the bill:

I think that the legislation has the greatest amount of support of any that I have seen during my service here as a member of the Committee on the District of Columbia in the House of Representatives. We have had the unstinting support of the business community, labor groups, the civic organizations, and practically all of the people of the community.

He also cited the support of President Johnson, the Bureau of the Budget, the District of Columbia government, and NCTA:

I think that those of us who have a strong interest in this community have an opportunity now to move forward and to make a real contribution to it. [page 3]

Elmer Staats was the first witness. He said, "The need for the system . . . is no longer open to serious question." He supported NCTA's cost estimate, calling it "both feasible and consistent with the mandate of Congress in the 1960 act." Consideration of future financing beyond the system authorized in the bill was "inappropriate." The funds in the bill would provide all that is needed through FY 1968. "The more important thing, however, is that during that time work can continue on an interstate compact which both the Congress and the administration believe to be the best organizational solution to the mass transit problems of this region." The compact authority would have the "authority to issue and sell the revenue bonds needed to meet the remainder of the costs." If the compact is not approved, a government corporation could be created, but the best alternative is the compact authority.

Aside from financing, the bureau had studied the provisions in the bill regarding private operation and labor standards. Staats said, "we consider them appropriate." He said the bureau also accepted the amendments approved during the House debate, namely those introduced by the District committee.

He concluded:

Mr. Chairman, may I repeat the view expressed by three administrations: The National Capital Region urgently requires decisive action to provide a balanced transportation system. The highway program, financed by Federal aid grants, is moving forward, and its future progress is assured.

That program has been planned on the assumption that an efficient and effective mass transportation system would come into being.

Senator Bible asked if the White House was satisfied with the provision calling for operation by private parties under contract. Staats pointed out that it was not a unique arrangement, citing Memphis and Philadelphia as having "essentially the same system." The mechanisms in the bill were, in the view of the Administration after much debate, "the appropriate way of operating a mass transit system in the District of Columbia." This was the only subject during the question period. [pages 35-39]

The NCTA team took the witness stand, lead by Administrator McCarter, and accompanied by Acting General Counsel Owen J. Malone; Acting Chief Engineer Howard Lyon; William Herman, Acting Director of Planning and Advances; and consultant Edwin H. Seeger, the former General Counsel. McCarter's lengthy statement was placed in the record. [pages 40-58]

After the statement was in the record, McCarter said that through the leadership of Senator Bible and Chairman McMillan, "we are now at the point where we can at least take a big step forward in the solution of our Capital's transportation crisis," which was visible "every morning and evening when the city streets are swamped with traffic." It grew worse every year "and will continue to do so unless we are able to develop an underground transit system free from surface traffic congestion."

After discussing the routes in the proposed system, McCarter continued:

So we expect to have a . . . system unified with the bus operations, with the automobile, both by parking and by what I have paraphrased "kiss and ride," where people are delivered by some member of the family and by people who walk to the station, so that combination must be a unique system.

He added that he was surprised to discover that an almost equal number of men drive their working wives to stations as women who drive their husbands.

The cost estimate had been compared with the experience in Toronto and estimates in San Francisco, as well as his experience in Chicago. "I think it is a conservative estimate, one prepared with a view to assuring as much as possible that the Agency could live with it."

In reply to a question about tunnel construction, Lyon explained that NCTA planned for 13 miles of subway:

- 5.52 miles in earth or alluvial tunnels, "driven in a circular section under ground with the aid of a shield and perhaps the aid of a mechanical miner so there is no disturbance of the surface,
- 0.71 mile of mixed-faced tunnel "which means the section is partly rock and partly alluvial materials,"
- 2.46 miles in rock tunnel, and
- 4.45 miles in cut-and-cover construction by "digging a trench to open up the surface, constructing the facility in the form of a concrete box, decking over the street temporarily while this construction proceeds underneath, removing the decking, backfilling, and restoring the street surface."

The tunnels would have a 16-foot diameter and a height of 16 feet.

As for cost, McCarter said, "65½ percent of the cost would be liquidated by the riders of the system, 23 percent by the Federal Government and 11½ percent by the District of Columbia." The repayment period was 41 to 50 years.

In view of the concern about crime, McCarter said he believed “a subway can be one of the safest places in the city if it is properly designed”:

Robberies, vandalism, hoodlumism, youngsters getting overexuberant, that sort of thing . . . can be controlled first by extremely well-lighted equipment and stations, and by extremely quick communications.

He had visited or had photographs of stations in a number of cities, and had met with the Commission of Fine Arts on the subject.

Senator Robert Kennedy asked if McCarter agreed with the plan for private operation of the system. McCarter said, “I believe in the efficiency of private management.” Senator Kennedy asked if it would be appropriate to “give greater franchise participation in this system.” McCarter thought at the time, the present arrangement was “completely adequate,” but they did not know what the future would be. “We don’t know the nature of the revenue bonds yet, [so] I don’t think we should tie our hands at this time.”

Would not making operations available as a private franchise, based on low bid, make it “even more successful?” McCarter agreed that a negotiated low bid would work if the private operator were “dedicated to making this operation a success”:

Senator Kennedy. Would you be opposed to having it on a low-bid franchise basis as we run it here?

Mr. McCarter. I am not sure. It depends on whether the low bidder would qualify.

Senator Kennedy. If he qualified?

Mr. McCarter. No, I would not be opposed to it then.

The Senator wondered if the situation of private operation was analogous to building roads that would then be made available to a bus company. McCarter replied that aside from the significant Federal and District contribution, revenue bonds were to be sold to investors who would want to know the operating conditions. “You can’t say now that it is going to be a franchise,” as was the case with bus operations in the city. In the end, it might be by franchise, instead of by contract, “but we will have to see what the best thing to do at that time is.” Trying to make the decision now could cause “great difficulty with your revenue bonds.”

Citing the language in the bill about operation under contract, Senator Kennedy asked if that did not eliminate the possibility of a franchise. McCarter told him, “You can’t grant a franchise for a system that is entirely publicly owned.” The question, instead, was how much responsibility will be given to the contractor. “The one thing to try to avoid is to turn over the entire system financed with public money to a private operator.”

Senator Kennedy. You are opposed to turning the system over to a private operator?

Mr. McCarter. Except under a contract. We must see that this system repays most of the investment, that the car riders pay their share of the operation. This is the first charge against the system. We would have to be sure in any kind of contract that we had that this objective is met.

Senator Kennedy asked if the present bus system would be integrated with the rail rapid transit system. McCarter said that from the riders' standpoint, the two must be integrated.

Asked how rail rapid transit would affect the bus system, McCarter told Senator Kennedy that the bus system would improve by eliminating "the most expensive part of their operation, the long-haul riders." It could continue "very much as it is now," and might even pick up some riders who currently use only their automobiles, but will instead use a combination of buses and rapid transit. No arrangement had been made, but "just in the nature of the thing I think [the bus system] must continue service." McCarter added that in Chicago, bus and rail transit were needed and "there was not one bus line discontinued because of rapid transit, for they served a different purpose."

Did McCarter contemplate acquiring D.C. Transit System? "We do not." Senator Kennedy indicated that the National Capital Transit Act of 1960 specifically prohibited acquisition, but added that Congress granted the 20-year franchise for the bus system in 1956, without expecting a rail rapid transit system to be built. Now that it is to be constructed "during the middle of that franchise," what kind of protection does the bus company receive? Malone explained that in 1955, Congress provided funds to NCPC for the Mass Transportation Survey.:

I think it can be said that at the time the 1956 [charter] legislation was enacted this mode of transportation was already on the scene. So far as the immediate operation of the bus system is concerned there is nothing to indicate any impact for a number of years

We can look forward to another 5 to 7 years of prosperity for the bus companies with every prospect that that prosperity will continue.

Senator Kennedy was not satisfied. "I think probably we need something more than the fact that there has been a different result or a certain particular result in Chicago." The situation in Washington, he suggested, "may be entirely different." He thought the "transit system" should submit a report to the committee for consideration. [pages 58-80]

Other witnesses included representatives of the Federal City Council who supported the bill.

O. Roy Chalk, who owned a New York newspaper, sat at the press table during the hearing. When Senator Kennedy asked if the city contemplated acquiring D.C. Transit System, Chalk "reacted as though this was all news to him," George Lardner wrote. Softly, Chalk said, "He asked a direct question; he got a direct answer. Now we know: we'll either have to compete or go out of business." Lardner characterized Chalk's comment by saying, "His pessimism seemed about as overdrawn as his suggestion that D.C. Transit has been chewing its nails up to now over the danger of a Government take-over." H.R. 4822 flatly prohibited acquisition:

But Chalk refuses to accept the suggestion that D.C. Transit and the subway can live together on any terms but his. If the Government won't give him a franchise to run the subway for a guaranteed percentage of the profits, Chalk wants the Government to buy D.C. Transit. Chalk got D.C. Transit nine years ago for a cash outlay of \$500,000 as part of an intricate financing arrangement. Rep. Basil Whitener (D-N.C.) said on the floor of

the House last week there were indications Chalk might want the Government to pay as much as \$63 million to buy it from him.

NCTA testified that with the two systems running, the buses could make a profit. “But second place for D.C. Transit, even a money-making second place, is a prospect Chalk apparently doesn’t want to consider.” As a result, “The Senate represents his last chance to get what was never promised.”

After the hearing, Senator Kennedy told reporters he was not taking a position on whether a franchise should be considered. Lardner concluded that “if yesterday’s hearing was any guide, the subway bill still has some rough riding ahead.” [Lardner, George, Jr., “The Senate, a Subway and O. Roy Chalk,” Potomac Watch, *The Washington Post and Times Herald*, July 21, 1965]

On July 21, Senator Brewster of Maryland appeared before the committee. He had been “most gratified” by House passage of H.R. 4822 because the region needed rail rapid transit. Unfortunately, “it will be another 7 years before it can become fully operational,” during which population will grow and the number of motor vehicles will further strain the area’s already crowded streets:

We know from experience that highways alone cannot meet our growing urban transportation needs. They can only make an effective contribution to transportation if supplemented by a mass transit system capable of handling large numbers of commuter passengers.

Maryland and Virginia officials had partly solved “one aspect of the commuter’s problem” by building “a magnificent circumferential highway entirely around the District.” It carried people “easily around the District, but the congestion on the radials coming into the District from the beltway is . . . tremendously difficult and . . . cannot possibly satisfy the needs of this community” A balanced transportation program encompassing automobiles, modern highways, a bus system, and rail rapid transit is needed.

The current plan in H.R. 4822 was “both modest and realistic,” the product of “careful study” by NCTA. It would benefit residents of the area, tourists visiting Washington, and “will contribute immeasurably to the beautification of our Capital City.” Approval by the Senate would “serve as a green light to National Capital area planners who have hesitated to base future plans on a tentative transportation system still in the need of congressional action.” He was confident the committee would “report a sound rapid transit bill to the Senate. You may be sure that it will have my wholehearted support.” [pages 87-89]

Senator Tydings, a member of the panel, moved to the witness table. He was proud to be a cosponsor of S. 1117. “I am impatient, as are the people I represent, to get on with the job just as soon as possible.” Officials and the public alike were drawing one conclusion from years of experience, namely that “there is a limit to the amount of land, the amount of money, and the amount of human relocation we can afford to pay for highways in cities—particularly in this city.” Washington was growing too fast for ‘any single kind of transportation facility to keep up

with our needs.” The area needed “every practical kind of transportation we can afford . . . in efficient balance so they can work together . . . and thus multiply their effectiveness.”

The area had highways and more were planned, but there were limits to what they could do:

I can say from my personal experience that the people of this region have been asking for a rapid rail system for years. Their unanimity on this subject is one of the great and encouraging areas of agreement in the National Capital region. I know of no other regional problem on which there is such strong and widespread agreement as to a solution.

He wanted a dependable system that would allow people to move around “no matter how long the bus delays caused by traffic jams”:

I mean the freedom for the suburban housewife who can have the use of the family automobile for her family responsibilities, for her daytime shopping, secure in the knowledge that her husband has speedy and efficient transportation.

I mean the ability to live where you want to live and work where you want to work, throughout the region.

I mean the saving of many hours each week for thousands of commuters – hours better spent with families than spent alone in an automobile

I mean making it possible for the youngster too young to drive to go downtown to the theater or the cultural centers, or for the elderly too old to drive to visit friends in the suburbs, or the handicapped to travel by public transportation without having to climb on and off – and we must make this rapid rail system in the Capital of the Nation accessible to those handicapped people, thus making it even more useful and pleasant for all.

In view of the discussion of private sector operation versus a franchise, Senator Tydings said:

I am unalterably opposed in the committee or on the floor, and in any other place, to any amendment which would give a windfall franchise to any operator at the taxpayer’s expense. I am unalterably opposed to giving to a private operator the profits of this rapid rail transit system which should be used to pay off the bondholders and for the benefit of the taxpayers.

I am going to resist any amendment in this committee and on the floor, just as the committee did in the House. [pages 89-91]

With Senator Tydings returning to his seat on the panel, Representative Nelsen took his place at the witness table. He talked about how the House District Committee had overcome the considerable opposition to the bill in 1963 by satisfying labor and business concerns. There was no question about the need:

Those of us who drive to town and listen to the radio, to Marie in the traffic helicopter telling us how traffic is backed up on Shirley Highway and other main arteries into the city, try to avoid congestion. We hear these reports every morning and anticipate that, in the future, conditions will be much worse.

(Representative Nelsen was referring to WWDC's Marie E. McDonald, who told listeners about traffic conditions as she observed the roads from a helicopter. She began her traffic updates in February 1965, reportedly the first woman to serve in that capacity. She and her pilot died when their helicopter crashed on September 1, 1966. [Adams, Michael, "Traffic Reporter, Pilot Killed in Copter Crash," *The Evening Star*, September 2, 1966; "Texas Rites Set Tomorrow For Marie E. McDonald, 29," *The Evening Star*, September 3, 1966])

He and his colleagues in the House District Committee were concerned about whether, as often happened with government projects, the cost estimates would be exceeded once construction began. They had checked the data on financial planning. They found that proper engineering had not been compromised to keep estimates low. They found that farebox estimates were accurately figured. "I think the bill is a good bill and I recommend it for passage." He added that the bill had passed the House by voice vote, "which indicates to me the opposition of a little over a year ago has melted because of the provisions we put in the bill to meet the objections that were previously there." [pages 92-93]

Representative Multer appeared next in support of the amendments that the House had rejected. He acknowledged that labor was satisfied that its interests were protected in H.R. 4822. As for the private enterprise features, "the rating of the bill would probably convince you private enterprise is being protected, too." He interrupted the statement because Senator Tydings had to leave the panel to take a telephone call; he wanted the Senator to hear this part of the statement. He moved on:

I don't believe there has been any bill in the 10 terms I served here that has had such an overwhelming demand by a majority of your colleagues in both Houses as well as by a majority of the people in the community, and I sought both in the House and here now to try to improve this bill and make it do the job that should be done.

He discussed each of the amendments, beginning with the amendment on payment of damages to property owners by construction or operation of the rail rapid transit system. The House amendment called for the District to be responsible, but he had amended it to reference Maryland and Virginia for their segments of the network. "I don't understand how anybody can oppose that kind of provision being admitted in the bill." In response to a question from Senator Bible, Representative Multer acknowledged that the House rejected the amendment. However, he did not think the House fully considered the implications of the amendment:

The . . . rush and turmoil of the District bill being the last bill of the week, many of the Members being anxious to get away, it was obvious to me they wanted to pass this bill and go to something else and that is what happened.

With Senator Tydings not yet back, Representative Multer skipped to his third amendment, the one he called the “face up to it” amendment. It called for the U.S. Treasury to issue all the bonds. The District, he pointed out, runs a deficit every year and “must come to us and beg for the money from the U.S. Treasury.” It will never be able to pay its share for the system. “I say the best way to do this, and the least expensive way to do it, is to finance this cost directly by loans from the U.S. Treasury.” Put aside, he said, “this camouflage of a guaranteed bond sold to the public to be paid by the fare box.” When deficits occurred, the District was going to ask the U.S. Treasury for help. “If they are not going to be paid, let’s do it the cheapest and most direct way with direct financing at the lowest possible cost and with the provision as provided in this amendment that the principle and interest shall be paid back in a period of 30 years”

Senator Tydings, back at his seat, said that States or municipalities usually issued bonds for transportation. “What you suggest is a novel idea.” Representative Multer said it was traditional “on the national level. On municipal levels it is usually not done.” Moreover, the District was a different case because it depended on the U.S. Treasury to make up its deficits each year. As a result, “we might as well do it on the lowest cost directly.”

Now he came to the amendment he was about to discuss when Senator Tydings had to leave the panel briefly. The system would not be operational for at least 5 to 7 years. However, H.R. 4822 committed the system to operation by private enterprise. It did not leave open the possibility that NCTA or the regional compact might conclude that a franchise might be the better option. “We don’t know what the system will be in the next 5 years, or what will be the best type of operation at that time.” His amendment calling for congressional approval of contracts addressed this problem:

In other words, when we are ready to operate this system, I don’t mean today, in a week or in a month, but when it begins to look as though it will soon be ready, then the Agency should negotiate a contract. They should say this is what we want and this is the way we want it done. Then they should determine whether it is to be private management or leased on a franchise.

At this time, neither he nor anyone else knew what would the best method would be, and yet H.R. 4822 dictated the method.

Senator Tydings asked if the amendment superseded the management type of operation in the bill. Representative Multer replied that under his amendment, either private management or a franchise would be possible. All his amendment did was provide that after NCTA or the interstate compact decided which is best, let Congress approve it. “Call in your private enterprise to bid on it, and come before the Congress and say this is what we would like to do.”

Senator Tydings was concerned that Congress would be giving responsibility to an authority to build the transit system, but retaining the authority to determine how it would operate. Representative Multer asked, “Do you think this is the time for giving a management contract, or a franchise today that will be effective 7 years from now?” Senator Tydings returned to the “heart of the question,” namely whether “you are going to give the authority where you put the responsibility.”

Representative Multer suggested that the panel ask Administrator McCarter if he would prefer to enter into a contract now based on bids from private enterprise or make a judgment closer to when the system was ready to go into operation. "I am sure he will be the first to tell you he will not sit down now and make a franchise or management contract or any other kind to operate this." He would undoubtedly want to talk with experts as construction progresses before making a decision.

Senator Bible assured the Congressman that the Senate District Committee would explore the matter before completing work on this bill. [pages 94-102]

The next witnesses, a panel of District officials, testified in support of the bill. Commissioner Tobriner, in a brief statement, concluded, "We are thoroughly convinced that the establishment of this system is in the best interests of the Federal Government, of the District of Columbia, and of the entire Washington metropolitan area."

The primary witness, Engineer Commissioner Duke, said, "As staunch advocates of a balanced transportation system for the National Capital region, we urge timely and favorable action on this bill." The District's current highway plan was based on the development of rail rapid transit. The highway system was as extensive as it would ever be "regardless of the outcome of this proposed legislation."

He was concerned that "many people have apparently concluded that a rail transit system will never be implemented unless they block the highway program." To refute this idea, now was "the time for Congress to take prompt action on this bill to assure these residents that their fears are entirely unwarranted":

Congress now has the opportunity to provide the leadership for such a comprehensive community attack on our transportation problems by prompt favorable action on this bill, by early favorable action on the proposed District of Columbia gas tax increase and related loan authority, and by general support of the current coordinated highway and mass transit programs.

An initial system as proposed in H.R. 4822 "seems to be the most appropriate beginning of a comprehensive transit system" in view of the District's resources:

In proposing that the District finance the required initial grants, the District faces on the one hand, the urgent need for a rail rapid transit system and on the other hand, limited ability to divert current revenues to the purpose. Present District tax sources are, and will continue to be, inadequate to provide the District grant other than by increasing its loan authority as proposed in H.R. 4822, and borrowing from the U.S. Treasury in the amount of the required grant and repaying the loan over a 30-year period.

He concluded:

The highway program is underway, but it cannot do the job by itself. Our transportation demands require the immediate implementation of a rapid rail transit system. And now is the time to start. [pages 103-107]

The next witness, O. Roy Chalk, took his seat at the witness table but said “I completed my statement at 4:30 this morning and they are still typing it this morning.” He asked the committee to delay his testimony until the following day. In the interest of fairness, Senator Bible agreed to do so. [page 109]

On July 23, Senators Bible and Tydings were joined on the panel by Senators Morse and Peter H. Dominick (R-Co.). Chalk began by asking that the record contain a copy of the 1956 law approving his company’s charter. He pointed out Section 4 calling on Congress to “maintain a continuing interest in the welfare of the Corporation and its investors.”

Senator Morse, one of the principle authors of the legislation, interrupted to recall the circumstances of that legislation that Senator Bible would recall because he also was on the committee at the time. In 1956, the District’s transit system “could best be described as in a state of either collapse or chaos.” Witnesses testified at the time about other municipalities that were taking over failing private transit companies and continuing transit as a public service, but Senator Morse “was one of those who made perfectly clear at the time that that would be the last thing that I wanted to see adopted by way of a transit system in the District of Columbia”:

In order to encourage private ownership of the transportation system in the Nation’s Capital, the provision of the franchise which you have just read was put into the law because there was a great deal of doubt as to whether or not we could get a company to come into Washington, D.C., and take over the transportation system under the situation that existed at the time without including the language that you have just put into the hearing record.

These discussions, Senator Morse pointed out, took place before Chalk was involved. As the proposal “started to crystallize it was then, as I recall, that Mr. Chalk appeared on the scene.”

Chalk resumed his statement, explaining how he had complied with Section 7 on conversion of the city’s street railway operations to bus operation. He also cited Section 3 prohibiting a competitive “street railway or bus line” for transporting passengers without prior issuance of a certificate by the Public Utilities Commission “to the effect that the competitive line is necessary for the convenience of the public.” Chalk added that, to the best of his knowledge, no such certificate had been issued.

He also cited Section 2 of the law calling for a 20-year franchise, but with Congress reserving the right to repeal it at any time “for its non-use.” Section 2 provided that if Congress cancels the franchise after 7 years “for any reason other than non-use, the Corporation waives its claim for any damages for loss of franchise.” He added that a provision of the conference report on the bill addressed this section:

This subsection is not intended to preclude the corporation’s property from being valued as that of a going concern in the determination of any damages resulting from a cancellation of the franchise for any reason other than nonuse.

He asked that the complete conference report be included in the hearing record. [pages 120-132]

Senator Morse asked if Chalk meant that he would not have the right to file damage claims unless Congress canceled his franchise. Chalk replied that he was not making that argument. “I am merely indicating that it was the intent of Congress to protect the rights of the D.C. Transit System.” He also cited Counselor White’s letter of February 18, 1965, to add, “and the apparent intention of the White House at this time to call attention to our legal rights.”

Chalk then recounted the company’s success in meeting the requirements of the charter. It completed conversion of the trolley car system 2 years ahead of schedule to establish an all-bus system. “In doing so, the company destroyed a streetcar system valued in excess of \$45 million.”

Senator Morse interrupted again. That may have been the value of the system, but he wanted to know what the net cost to the company was. Chalk said he was referring to “the reproduction value of such a system today,” and only brought it up to say, “We kept our part of the bargain.”

In fact, he recently had been in Barcelona, Spain:

My chest swelled with pride as I saw these very beautiful trolley cars which I had sold to the city of Barcelona—I think at about \$2,500 apiece—all over the city of Barcelona. They looked beautiful and the people appeared to be very happy using them. I had a slight pang in looking at it.

Chalk said that he paid \$13,540,000 for the franchise and had invested an additional \$35 million “for new vehicles, equipment, and maintenance facilities.” Visitors from around the world came to see his profitable system in operation.

Senator Bible agreed that it was a good system but wished Chalk could do something about the exhaust fumes from the buses. As a motorist, Senator Bible did not like to be stuck behind the buses for that reason. They agreed the problem was with the manufacturers, but Chalk said, “within a year we believe we will have available and in transportation the first of an atomic-source-powered, battery-operated bus, and we believe that when this type of power is introduced into automotive equipment the problem of the fumes will have disappeared.”

(In March 1966, Chalk indicated that his research branch was designing an atomic powered bus. Within “a year or 18 months,” he said, an experimental model would be used on District streets. Nothing appears to have come of this effort. The plan was never implemented, although an atomic-powered bus was the vehicle in the 1976 movie comedy, *The Big Bus*, a parody of disaster films. [Stacks, John, “Chalk Proposes Subsidy, Fare Cut in Slow Hours,” *The Evening Star*, March 3, 1966])

Returning to his statement, Chalk pointed out that the company had “kept its pledge to congress to keep the city free from economic warfare and labor strife.” That was in contrast to the previous 10 years when Capital Transit Company’s labor troubles “brought confusion and consternation to the public.” He added that D.C. Transit System was the only transit system in the United States “which has arrested and reversed the trend of declining patronage from the general public in the use of mass transit facilities.”

For all that the company had done to provide quality transit, it now faced “an ominous situation and we depend upon the integrity of Congress with whom we contracted in 1956, to redeem its pledge to us, ‘to maintain a continuing interest in the welfare of our company’ and its thousands of investors.” He did not want to be an obstructionist. He wanted the bill to pass, but he asked that Congress do so “in such manner as will afford us this and yet not harm the objectives of the bill.”

The bill called for private managerial service, but that was not private enterprise, which required private investment – “the true test of private enterprise”:

There appears to be no intent to grant a franchise to the most qualified bidder as was done in the award of Congress to D.C. Transit in 1956. There appears to be a mistaken presumption underlying the plan of the NCTA that Government operation is more efficient and more profitable than a true private enterprise operation

It seems to us that Congress – not the NCTA – should make the decision and final choice as to whether the subway shall be operated under a franchise-investment plan, under a management-employment, or under any other form of operational agreement.

It seems to us that if Congress, in its wisdom, decides to award a franchise to a qualified private enterprise operator, for which there is ample precedent, its authority should not be usurped by the NCTA.

He urged an amendment giving Congress that right.

He cited some of the advantages of a franchise, such as requiring the franchise holder to buy all the rolling stock and maintenance facilities, which could be a big savings to the U.S. Treasury. The franchise holder also could be obligated to assume payment of interest and principal on all outstanding bonds.

Chalk’s next point referred to the dialogue between Senator Kennedy and McCarter on the first day of the hearings. “In effect, the NCTA has ruled out, as a matter of policy, the unification of the bus system with the subway system.” McCarter said NCTA “had no need to acquire the D.C. Transit bus system.” Based on this “clear enunciation,” the two systems would have no choice “but to become competitive, each seeking its maximum share of the total transit market.” NCTA’s revenues could occur only by taking them away from the bus operators in the area:

It must resolve itself into a competitive battle for survival. There is not sufficient business to sustain two systems and one or the other, most likely both, will suffer financial hardship. On the subject of financial hardship, however, the edge is all the way with the Government.

It obviously becomes an unfair competitive situation when a private company must compete with a Government-operated facility.

The U.S. Government can afford to lose money without danger of bankruptcy while the private operator under such circumstances must face destruction.

Senator Morse said he did not understand why they had to be competitive since one would operate on roads above ground while the other operated below ground. Chalk referred to McCarter's statement that the bus and rail lines did not have to be unified:

If they are not unified, the inescapable conclusion is that they must be competitive. If they are competitive, someone is going to get hurt.

Perhaps, he said, he had "made my point too clear and it sounds too warlike." But as a private enterprise, "I must bend every way possible to get the last bit of business available in a true private enterprise competitive sense." If the two systems were combined in a franchise, that would be a different situation. "But here I am merely saying if we are competitive, as Mr. McCarter has said, as indicated by implication, of course someone is going to get hurt."

The subway, as a public enterprise, could call on the U.S. Treasury to make up deficits, but companies did not have that advantage. For that reason, an "equalization factor is necessary." The company might be guaranteed a fair return on the system. If Congress contemplated a balanced transportation system, "both systems, one beneath the surface and one on the surface, should be comparable quality and comparable treatment."

He introduced testimony that McCarter had presented during consideration of the Urban Mass Transportation Act in 1962. [pages 144-152]

Chalk pointed out where McCarter stated:

The reason why there is a serious lack of rail rapid transit today, and the reason why existing rapid transit systems cannot expand to meet even today's needs is obvious. Rapid transit systems are costly to construct, and costly to maintain and operate. Major improvements and extensions cannot possibly be financed out of the fare box alone at reasonable rates of fare.

I might digress to say that no rapid transit system can survive alone By itself, rapid transit is not self-supporting. In all the cities of the United States that now have rapid transit, the rapid part of the transit system is supported by profitable bus operations, or by a public subsidy of one kind or another.

Chalk pointed out the significance of these words:

I am presently in favor of the bill without any questions whatsoever. But I am pointing up the importance of the bus system and its relationship to a unified type of operation which seems to be in doubt under Mr. McCarter's statement.

Chalk also quoted the 1962 testimony on the national bill where Representative Multer questioned McCarter about rapid transit in Washington. McCarter stated that "in my opinion when it becomes a system there is going to have to be a very close coordination with the private system":

I would say that this system could be leased to either Mr. Chalk or the District could buy it, pay Mr. Chalk for his properties what they are worth, and consolidate them. It could be leased on a basis of a last charge on earnings, or it could be leased on the basis of percentage of net. The local community can determine

In short, in 1962, “Mr. McCarter was completely in accord with my views. There seem to be some differences today and I trust that these differences can be ironed out.”

When Senator Bible said he did not see “anything particularly inconsistent” in what McCarter said in 1962 and 1965, Chalk replied:

These then, Mr. Chairman, are the issues. First, the responsibility of Congress to redeem its pledges to the D.C. Transit System under the act of 1956 by maintaining a continuing interest in its welfare. Second, by retaining for itself, the Congress of the United States, the right to determine the eventual operator of the subway system and whether or not it shall be by franchise investment, management-employment contract or by any other form of operational agreement acceptable to Congress.

Third, justice requires an equalization factor as between the subway system and the surface system to avoid unfair competitive practices to the detriment of private invested capital as well as to the detriment of the Government’s investment in the subway.

The equalization factor, formula or statement of policy should apply equally in matters involving operations as well as in matters involving capital outlay.

In all other respects, we defer to the desires of the administration and the will of Congress.

Senator Bible wanted to know if D.C. Transit System was “adequately protected” under H.R. 4822. The House believed that the bill contained adequate protections. Because Chalk did not agree, Senator Bible asked what type of protection would be adequate. He referred to Chalk’s second point that Congress should make the decision on operations. “Did not the House of Representatives meet that issue in their bill,” by explicitly stating that it “shall not be operated except under contract by private transit companies, private railroads, or other private persons”?

No, Chalk replied. “They did not make it clear which type of management was most desirable. They have left it entirely up to the NCTA,” which “has already made it clear that it favors the employment type of management, and, therefore, we are not protected.” He was simply saying that NCTA should not be the final arbiter. “I say Congress in its wisdom should make the decision.”

Senator Bible pointed out that in the quoted phrase, Congress had made the decision that operation by private enterprise was preferable. It left to NCTA only the selection of the private enterprise firm that would win the contract to operate the system.

Chalk replied that he would not have brought the subject up if NCTA had not made clear that it favored operation in a way that he did not believe was true private enterprise. He explained the difference:

NCTA merely wishes to employ a group of men, management consultants, or whoever they might be, who have no risk involved, who have no investment involved, possibly furniture and fixtures, but who have no risk of their own, no inducement or incentive for the highest degree of efficiency and tight economic controls.

Their job is merely to run the business as efficiently as possible as a good Government employee would do but he has not the incentive of a private enterprise investment. When a man invests or a group of men invest millions of dollars under the American system of private enterprise they are going to try to protect their investment.

This is the very foundation of the American capitalist system; we have to protect our capital, and we will operate efficiently in order to do so. Now we take the view that we can do a better job. A dollar, as I said before, in the hands of a private enterpriser, is a long way further than a dollar in the hands of Government officials.

Senator Bible commented that nothing in H.R. 4822 prevented Chalk from bidding to operate the system. Chalk said that if the rail rapid system took in \$20-30 million a year, the operator's payment would be about \$100,000. "I am not so sure that I am interested in even devoting my energies or the energies of my company and staff to earning a hundred thousand dollars a year. It is that simple If this is to be divided among thousands of investors and stockholders [it] is just not worth while to my stockholders"

Senator Tydings asked why, in view of the investment of \$150 million by the U.S. Treasury and the District of Columbia, "you or anyone else [should] be permitted to come in [for what] would amount to a windfall, since you only intend to put up a small percentage of the contribution which the people of the District of Columbia and the United States are making." Chalk said, as he had previously, that "a road is a road whether it is on the surface or beneath the surface." It serves people either way:

It is a Government function to build a road on the top or beneath the surface of the streets and therefore this in itself is the justification. The city and the Government built a highway on which my bus runs. I have never then undertaken to pay the cost of that highway and I should never be asked to undertake the cost of building that tunnel underneath the highway.

Senator Tydings questioned the logic of that answer. Would it not be more logical, he asked, for the system to retain any profit from operation instead of "allowing an operator to make a windfall profit from a small investment in rolling stock, at the public expense?" Chalk said the presumption behind that question was wrong since he and McCarter were in agreement that it "is impossible to run such a system at a profit other than deficit financing." If someone could be found who could operate a subway at a profit and pay off the bonded indebtedness, as might be possible with a franchise, "I would say that you owe it to yourself to give him the job."

With a private enterprise operator, Senator Tydings suggested, the deficit to be reimbursed would be less than if a franchise operated the system. Chalk disagreed on the fundamentals:

I believe that private enterprise values a dollar – now this is no disrespect to Government officials – but the man whose shoe is tight, the man whom it hurts, he is the first to react where a man [who] is uninjured to any extent other than his conscience he does not react to situations as quickly as a man who is hurt.

This is our capitalist form of government, sir. So that a man in private enterprise will do a better job, with due respect to all Government officials.

Senator Tydings said the operator under H.R. 4822 is private enterprise just as a franchise operator would be. Chalk explained, “They are employees” of NCTA. Risk is the test and the private enterprise employees have no financial risk under their contract. “The moment they obtain employment and are paid without an investment, other than their abilities of course, it is an employment contract,” not capitalist private enterprise.

Senator Tydings changed topics to cover the responsibility of Congress to have a “continuing interest” in the welfare of the company and its stockholders. Had not Congress exempted the company from payment of gross receipts tax? Chalk replied that the exemption was in the 1956 Act and, in return, D.C. Transit System had kept its promise to provide a good bus system.

Further, was not the company exempt from the fuel tax, whereas Capital Transit Company did not have that advantage of tax savings? Chalk replied, “Nor did you get the service which you are getting today. You get what you pay for, sir.”

Chalk added that he was not complaining about the lack of “continuing interest” over the past 9 years. “I have no complaint I am merely talking about the next 11 years” of his charter.

Senator Morse’s question time interrupted Senator Tydings’ period. First, Senator Morse wanted to clear up the “reports, innuendos that I understand are in wide circulation” that he was in Chalk’s pocket. “I just want the hearing record to show that nobody has ever gotten me into a pocket or gotten a rope around my neck or even been able to direct my course of action.” He had no preconceived notions. He would consider all the information gathered before deciding on the merits. He was “an impartial legislative juror in the case.”

He and Chalk engaged in an exchange of hypothetical possibilities of Chalk operating both systems, drawing the conclusion that a conflict of interest would exist between his responsibilities to the stockholders of his bus company and his work as an employee of NCTA.

Continuing the dialogue with Senator Dominick, Chalk indicated he was reluctant to be put in the hypothetical situation Senator More had posed:

I have a duty to my stockholders and I have a duty as a citizen. I would be placed in a bad position. I would rather compete as Macy does against Gimbels and be divorced from the operation, a clear competition. Or I would rather be one altogether, one company, with an element of profit with my investment.

If I would invest \$25 or \$50 million in the subway, then I have a stake, then I have to protect that investment for the benefit of my stockholders. Likewise I have to protect it for the benefit of the bus system.

He again cited McCarter's 1962 testimony that rapid transit companies were never self-supporting, but had to be "supported by profitable bus operators or by public subsidy or one kind or another."

As Chalk's testimony neared an end, Senator Bible asked if he understood that Chalk did object to a rapid transit system. Chalk replied:

Not at all. It is my feeling that it is the prerogative of the U.S. Government to build a battleship and have it sunk if it wants to.

This is the right of government. There is justice in building a battleship and having it sunk if necessary because in the world competitive situation prestige sometimes is more important than money.

With no further questions for Chalk, Senator Bible ended the hearing, which lasted a little over 2 hours. [pages 111-170]

On August 2, Administrator McCarter submitted a nine-page letter to Senator Bible responding to testimony that occurred after the NCTA panel appeared before the Senate District Committee.

McCarter began by explaining why NCTA opposed Representative Multer's amendments, all of which, McCarter reminded the chairman, the House had rejected overwhelmingly. The first was the amendment requiring the financing to take place entirely through U.S. Treasury bonds. This amendment was in "direct conflict" with the National Capital Transportation Act of 1960, which called on NCTA to develop a plan that "shall provide for the equitable sharing of any remaining costs among the Federal, State, and local governments." The Multer amendment would not only contradict that explicit provision, but the Urban Mass Transportation Act of 1964, "which requires local financial contributions as a condition of Federal assistance."

NCTA also objected to the damages amendment, which "is unnecessary and would serve only to breed confusion." As a Federal agency, NCTA was subject to the same laws relating to claims and damages as other Federal agencies. "The laws concerning claims against the Government are well established, and there has been no showing that any greater or lesser requirements should be imposed on NCTA." Moreover, the amendment "would expose the Federal Government to an unknown amount of pecuniary liability arising out of actions to which it is not a party and which it would not be allowed to defend." In short, the Federal Government would be "a collection agency for other people's judgments."

The third Multer amendment required NCTA to secure congressional approval for the contract on operation of rail facilities. H.R. 4822 and S. 1117 were clear that Congress wanted NCTA to secure a firm to operate the system under contract. "In addition, in obtaining the services of an operator contractor, NCTA would be subject to the Federal statutes, regulations, and policies

governing Government contracts and procurement. The proposed amendment is thus unnecessary.”

McCarter also objected to the amendment because “it would constitute an exception to the usual and ordinary practice of the Congress which is to vest the executive branch with the authority to contract for services needed by the Government.” Further, the amendment covered only operations, but not design, construction, or other contracts “and there would appear to be no greater reason for the Congress revising the operations contract than these other contracts which will involve far greater expenditures.”

McCarter also wanted to address three issues that Chalk had raised on the final day of hearings. First, Chalk favored a franchise to operate the rail rapid transit system. The House and Senate bills called for operation under contract by private transit companies, private railroads, or other private persons.” Given the public investment of \$431 million, the risks were to be borne by the public, “and any plan for operation of the system must recognize that fact.” Under the companion bills, “any revenues of the system beyond those needed to meet operating costs must be dedicated to the retirement of the revenue bonds.” The franchise-investment system that Chalk advocated would be more costly than the method contained in the bills. “D.C. Transit concluded as much when it expressed doubt as to whether it would find a contractual approach to operation financially attractive.” Whether the government paid for rolling stock through bonds or a franchise acquired them, funds would be borrowed from private investors and repaid through the farebox. Thus, the advantage of the franchise providing the rolling stock was nonexistent.

Whichever method of operation was employed, capital outlay would be the same, as would system revenues and the cost of operations:

The principal difference will be in the financial consideration paid the operator for running the system. Under S. 1117 and H.R. 4822 the contractor would be compensated in accordance with the fair market value of the services required by the operating agreement with the Government. According to its statement, D.C. Transit would probably regard this as inadequate, and, under a franchise, would require a greater return.

As for unification of bus and rail facilities, the National Capital Transportation Act of 1960 contained a provision, added at the request of the bus companies, forbidding acquisition of the companies. “The Agency sees no need for the kind of ‘unification’ envisaged by the company.”

NCTA agreed with Chalk about the “very great need for coordination of bus and rail services but believes that the legal framework for such coordination exists right now in the processes of the Washington Metropolitan Area Transit Commission (WMATC) The present bill provides that the powers of that Commission are to remain unchanged.”

NCTA always recognized the need for a strong bus network. “The proposed rail system has been carefully planned to integrate with the existing bus routes,” with convenient bus transfer facilities at outlying stations and where bus routes intersect rail lines at stations. Through coordination, travel times can be reduced, large numbers of passengers will be attracted to bus and rail services, and the bus companies can eliminate many of their costly downtown lines.

“The legal processes of WMATC . . . assure that the private companies will not be at the mercy of NCTA’s view as to what is an appropriate division of transit-rail fares.” WMATC is required to set fares that ensure D.C. Transit System will have revenue to meet operating costs, interest, and a reasonable profit:

This fact, coupled with the company’s own forecast of a continued bus market producing some \$30 million in annual bus revenues, makes it clear that the protections the company requests are wholly unnecessary.

In sum:

Thus, the present bill and earlier legislation (1) assure private operation of a publicly financed and publicly owned rail system under contract by the best professional transit executive team that is available; (2) preserve existing rights of existing bus companies; (3) prevent NCTA from acquiring any private bus company in whole or in part; and (4) prevent NCTA from operating or making agreements for the operation of bus service competitive with private transit companies.

An appendix addressed Chalk’s use of quotes from McCarter’s 1962 testimony on a national program. NCTA’s position was not inconsistent with that testimony:

The present program calls for \$150 million in direct Federal and District of Columbia grants, and also calls upon the Federal and District of Columbia governments to make their credit available to support transit bonds.

There has never been any question that the Washington system needs this kind of direct public support. The 1962 statement referred to the fact that rapid transit systems cannot support all of their capital requirements.

Also, the 1962 statement referred primarily to older existing rapid transit system – not entirely new systems. The new system proposed for Washington will be a much more economical operation, and as stated by the Administrator before the committee, it can reasonably be expected to repay two-thirds of its capital costs.

Chalk also referred to a part of the 1962 testimony indicating that the rail system would have to be coordinated with local bus operations, and that acquisition of the bus companies was one way to achieve this. In that testimony, the appendix stated, McCarter was referring to NCTA’s 1962 plan for the Washington area that had not yet been made public at the time of the testimony:

He stated that Washington’s system would have to be coordinated closely with the existing bus operations. He also stated that among the ways to get proper coordination would be (1) to buy Mr. Chalk’s company and consolidate it with the rail system, and (2) to lease the rail system to Mr. Chalk. He also pointed out that Congress and the community would have to decide how to handle the problem.

McCarter had not said that either option was necessary for coordination, only that they were possible approaches. “That testimony did not advocate either.” Purchase of the bus company

was one way to achieve coordination, but the question was whether “such a step is necessary or desirable – especially where the bus companies involved are prosperous and have every reasonable prospect of continued prosperity.” However, coordination can be achieved by agreement and through WMATC’s regulatory commission without purchase. [pages 265-273]

To the Senate Floor

The Senate District Committee, in executive session, approved H.R. 4822 unanimously on August 18, unchanged from the House version – even retaining the bill number. Announcing the vote, Senator Bible said, “I am very hopeful we can secure very fast action by the Senate and the bill will soon be . . . on its way to the President.” (One member of the committee, Senator Winston L. Prouty (R-Vt.) was absent but said later he would have voted in favor of the bill.) [Eisen, Jack, “Subway Bill Cleared by Senate Unit,” *The Washington Post and Times Herald*, August 19, 1965]

On August 23, the Senate District Committee issued a report on the bill. The report discussed the need for rail rapid transit:

There is universal agreement that it is impossible to meet the region’s growing transportation demands by means of highways alone. Recognizing this, the plans of the highway departments of the region are predicated on the development of an improved system of public mass transportation—one that will be attractive to the public. The highway departments recognize that the people of the National Capital region must be provided a real choice between using public transportation, or using their private automobiles, for trips between their homes and their places of employment.

Such a choice does not exist today in any meaningful sense. Due to downtown congestion, traffic intersections, and the number of stops that must be made to pick up and discharge passengers, the existing bus service is far slower than the private automobile. As a result, public transportation patronage has shown no significant growth in Washington for several years despite a steady growth in the population, and in spite of efforts to make bus service more attractive. Today, approximately 40 percent of morning peak hour trips to downtown Washington are made by public transportation. In contrast, in cities such as New York, Chicago, Philadelphia, and Boston, where there are comprehensive rail rapid transit, commuter railroad, and bus systems, between 70 and 90 percent of peak hour trips are made by public transportation. The conclusion is inescapable that if Washington is to achieve a higher percentage of public transit patronage – as it must do if the public pressures on the street and highway system are to be relieved – nothing short of a high capacity, high performance, rail rapid transit system operating in subways and on other exclusive rights-of-way can do the job. [Rail Rapid Transit For The National Capital Region, Report to Accompany H.R. 4822, Committee on the District of Columbia, United States Senate, 89th Congress, 1st Session, Report No. 637, August 23, 1965, page 9]

After discussing the provisions of H.R. 4822 and details of the planned system, the report addressed bus transportation. The plan “contemplates the continuation of areawide bus

transportation service, and that with the steady growth of population and employment in the region, bus services will have to be expanded to serve a constantly increasing transit market.” NCTA’s system “has been carefully planned to integrate with existing bus routes.” Close and effective coordination between NCTA and the bus companies was essential. NCTA would be expected “to do all in its power to coordinate its service with those of the private bus companies and to cooperate with the management of the private companies.”

H.R. 4822 did not alter the regulatory powers of the Washington Metropolitan Area Transit Commission:

In particular, that Commission will continue to have exclusive power to determine the bus portion of joint bus-rail fares so that the private companies shall earn a reasonable rate of return, and to establish fares for bus services that feed the rail system. Under the compact, it will be the commission’s duty to see to it that such fares are designed to meet bus operating costs, interest payment, and to provide the companies a reasonable profit.

The committee recognized that “the bus companies are the victims of the very traffic congestion they seek to relieve” because delays caused by congestion make buses a less attractive option. Moreover, gross revenue may be reduced “somewhat” by the advent of rail rapid transit. However, NCTA traffic projections indicated that the loss of passengers on lines that would be served by the new rail lines did not mean the companies would “suffer a proportionate decrease in net income.” These new rail lines “would relieve the bus operators of much of their high-cost operations, and permit a more efficient utilization of their equipment and personnel elsewhere.”

That said, the committee recognized that “final judgments . . . cannot be made at this time.” These companies, with their substantial private investment and “initiative and imagination,” had done everything they could “to provide the region with good bus transit services at reasonable fares”:

Accordingly, this committee intends to maintain a continuing interest, not only in the matters of coordination of bus and rail services, but also in the welfare of the investors of the existing private transit companies, should additional legislation be deemed appropriate in the years ahead. It is the committee’s intention that this interest necessarily include continuing concern for the investment rights of private stockholders because they are the foundation of the private enterprise system. [pages 16-19]

The report also discussed the conventional steel-wheel, steel-rail rapid transit train chosen for the system. NCTA had considered alternative systems, including “numerous types of ‘monorails,’ more exotic concepts such as ground-effect machines, and a number of proprietary proposals.” In the end, NCTA concluded that the conventional technology “is not merely the best that is available now or in the foreseeable future, it is the only technology that has been thoroughly tested by experience, and assures the high standards of performance, economy, and public acceptability required to meet today’s urban mass transit problem.” Experience in recent years in other cities will allow NCTA to benefit from “the newest developments in the art” for the Washington area. The committee, therefore, was convinced that the conventional option

“provides the best available technology and offers the best promise of preserving and protecting the beauty and dignity of the Nation’s Capital.” [page 20]

The report concluded:

In the judgment of your committee, the time for action has arrived. There is no questioning the soundness of the investment. The rail rapid transit lines and related facilities are essential to the preservation of the beauty, dignity, and livability of the National Capital, to the welfare of the people of the District of Columbia, and to the orderly future development of the National Capital region.

Your committee recommends H.R. 4822 to the Senate as soundly conceived, urgently needed legislation, and urges its adoption. [page 21]

Following committee approval, McCarter confirmed that if the Senate approves the bill, riders could be boarding cars in 1971. The first line would run between downtown and Benning Road across the Anacostia River. This line would be first because NCTA planned to put its car yard and maintenance garages at Benning Road where they would be less disruptive near the existing railroad yards and industrial area. NCTA had begun drilling to examine soil conditions, but people would soon see many more drillings after enactment of the bill. If all went well, groundbreaking could be held in February 1967. [Flor, Lee, “1971 Is Subway Target If Senate Passes Bill,” *The Sunday Star*, August 22, 1965]

On August 25, the Senate took up H.R. 4822 shortly after the noon start of business. Jack Eisen described what happened:

No sooner was the daily prayer concluded at noon than Chairman Alan Bible (D-Nev.) of the Senate District Committee moved that three city bills on the routine Senate calendar – one of them the subway measure – be called up.

The subway bill was approved by voice vote, with a brief statement by Bible and an even briefer one by Senate Majority Leader Mike Mansfield (D-Mont.). It was all over by 12:02 p.m.

Grace Bassett described the approval in the *Star*:

Action came immediately after the Senate met at noon The Senate accepted the House bill, without amendment.

That was the unanimous recommendation of the Senate District Committee, Chairman Alan Bible, D-Nev., told his colleagues. “The District of Columbia has no greater need today than a rapid rail system,” Bible said. “This issue has been the subject of study, restudy and study again. Now is the time for action,” Bible concluded.

Majority Leader Mike Mansfield, one of the few senators on the floor for the vote, said he was glad that Bible had stressed the bipartisan unanimity with the views of his District Committee on transit.

The move for immediate passage was cleared with the House leadership, as well as with the minority and majority leaders in the Senate, according to Mansfield

Eisen said the speedy approval “seemed anti-climactic” after 10 years “of talk, studies, politicking and controversy and a shattering House defeat in 1963.”

Because the Senate District Committee had decided to bring the bill to the floor as H.R. 4822, not S. 1117, Senator Bible was deprived of technical authorship of the landmark bill. Credit would go to Chairman Whitener. However, the committee had a reason for leaving H.R. 4822 untouched:

Backers of the system feared that any Senate amendment or action that might require House concurrence might delay or cripple the transit program by forcing another round of controversy.

With Senate approval, the bill could be sent without delay to President Johnson for approval.

His approval did not mean work would begin. Although H.R. 4822 authorized funds, they could not become available to NCTA without an appropriation act. The expectation was that President Johnson’s request for a supplemental appropriation bill would ask for \$15 million to begin detailed engineering work. Approval, however, was not assured as Senators Brewster and Case made clear in a statement to reporters. The appropriation was crucial, but they warned that the funding request was “a potential target – and a large target – for those who would seek to undermine the program by denying it necessary funds.”

The Senators did not specify who might block the funds, but the few suspects included O. Roy Chalk and a few Members of Congress who opposed the plan.

Another potential problem was the battle underway in the House over the Johnson Administration’s home rule bill for the District of Columbia. The Senate had passed the bill, but House District Committee Chairman McMillan was threatening to hold up all other District legislation to block the plan. [Eisen, Jack, “Subway in D.C. Voted, Bill Sent To White House,” *The Washington Post and Times Herald*, August 26, 1965; Bassett, Grace, “District Subway Plan Sent to White House,” *The Evening Star*, August 25, 1965; the record of the Senate passage is distorted by material added after the fact but can be found at: Rail Rapid Transit for the National Capital Region, *Congressional Record-Senate*, August 25, 1965, pages 21650-21657]

Star and *Post* editors were delighted by congressional action approving the bill. The *Star* recalled that the concept had “first earnestly” been advanced in the Mass Transportation Survey of 1959, but “suffered one frustration after another.” However, “with the Senate’s swift approval yesterday, Congress has at last given substance to the dream.” The significance of the event could “hardly be exaggerated.” As the region spread into the Maryland and Virginia countryside,

“stresses and strains [had] already changed the face of Washington in a dozen ways,” none more than the need for better transportation:

The District’s relatively modest freeway system is an absolute necessity if the central city is to retain its vitality. But an endless proliferation of highways would destroy many of the very values which must be saved. The vital role of rapid transit, sufficiently attractive to woo commuters away from their autos in large numbers, is to fill this gap.

The Senate District Committee deserved credit for the decision to refrain from amending H.R. 4822 “and to express its views and safeguards in its official report.” That was “most probably the key to its passage” in the Senate with “lightning-like” speed.

Much work remained to be done, and the result would be a system that barely reached beyond the District border. “For the moment, however, it is quite enough for anyone that a start finally has been made possible. With its voice vote of approval, the Senate marked a milestone in the life of the city. [“The Transit Milestone,” *The Evening Star*, August 26, 1965]

Post editors also cited the “years of planning, strife and disappointment” that finally had come to an end following the Senate’s swift approval of the bill. “Under the leadership of Chairman Alan Bible the Senate District of Columbia Committee closed ranks splendidly to give the bill a unanimity of support that reflected the feeling of the District’s residents and business community.” Supporters, however, “must not yet pause for celebration.” The urgently needed appropriation funds “could easily be lost in the backwaters of House subcommittees where several powerful opponents of the subway still lurk.” Nevertheless:

Under the most fortuitous circumstances Washington will now have an operating subway before the early 1970s. There should be no further delay. [“Subway at Last,” *The Washington Post and Times Herald*, August 28, 1965]

A *Post* article began, “Some said it would never happen, but it did.” After describing the long history of “work, marked by controversies and personality clashes and frustrating setbacks,” the article discussed the planned system. “It isn’t something out of Buck Rogers,” a space adventure comic strip that took place in the future, nor did it “resemble the stop-and-go streetcar system on which Washington commuters depended for six decades.” NCTA engineers planned to design “sleek, smooth, quiet trains” consisting of up to eight cars capable of speeds as high as 70 miles an hour between outlying stations. The trains would not “mix with any other form of traffic”:

The trains will be operated by a single crewman – a motorman – but the system will be automated as to speed, safety and the rate of acceleration and deceleration.

The cars would be 75 feet long and have 85 seats, with a maximum capacity of 126 riders. The four doors on each side of the cars would allow for “speedy loading and unloading.” In addition, “Standing loads are foreseen only for one or two stations out of the downtown area.” The system, according to estimates, would carry 50,000 riders each peak period by 1980 in the downtown area. “It could handle about twice that number without putting a strain on the G Street subway.”

Headway between trains could be as little as 1½ minutes in the G Street corridor, every 3 minutes on the Silver Spring and D.C. Stadium lines feeding the east end of the G Street tube, and 6 minutes on the Columbia Heights and Connecticut-Van Ness Street spurs.

The *Post* reported that about two-thirds of the system's 13 miles would be "built by boring a tunnel, a technique that does not even break the street surface except at stations":

The balance would be cut-and-cover, a method that involves cutting the surface and planking it over. This entails some traffic disruption The longest section of cut-and-cover would be on Connecticut Avenue nw. Other sections would be near D.C. Stadium, along the Baltimore & Ohio Railroad right of way to Silver Spring and near the Pentagon – none of them substantially disruptive.

Engineer Director Lyons said the completion schedule was uncertain. It depended on financing and decisions on traffic and service. "He insisted that a 1970 completion date for the first line is not unduly optimistic." ["Slick, Smooth, Quiet Subway Envisioned – It Took 10 Years of Plans, Frustrations," *The Washington Post and Times Herald*, August 26, 1965]

On September 9, 1965, President Johnson welcomed about 200 guests to the Rose Garden as he prepared to sign the National Capital Transportation Act of 1965. Before signing the legislation, he addressed the crowd, beginning:

Over the years, I have found two distinct schools of thought around Washington in regard to Senators. One holds that Senators should be treated like people. The other school is somewhat more revolutionary and holds that people should be treated like Senators.

The bill I am about to sign today represents a victory for the second school of thought.

So, henceforward, the people—including the House Members – will have what only Senators have enjoyed until now: high-speed subways to take them to and from their work.

(He was referring to the subway connecting the new and old Senate Office Buildings to the Capitol, the only subway in the city at the time.)

The bill meant "justice and progress at long last for the residents of our great National Capital." More people, he said, enter and leave downtown Washington on an average weekday than visit Manhattan Island. "Unless we want to pave the Potomac with bridges, there is little more that we can do to ease the congestion until we have properly balanced our transportation system. And that is what this bill permits us to do." The area's highway system had been "planned on the assumption that it would be balanced by a rapid rail system."

He congratulated Congress "on following through to make this balance feasible." More was needed. "Our goal must be to make the suburbs of Maryland and Virginia a part of this system." He observed that Maryland's legislature had approved the interstate compact and that Virginia was likely to do so in 1966.

Turning to a national perspective, President Johnson said the country had 75 million automobiles, with that number expected to exceed 106 million by 1980. By 1975, total vehicle miles traveled would increase by more than 64 percent:

Our great interstate highway program is meeting the needs for intercity and cross-country travel in this highly mobile Nation of ours. But we must not forget that of the 150 million automobile trips made each day in our metropolitan areas—10 percent of them are for distances of less than 5 miles.

Our most acute transportation problem – one that costs us billions of dollars each year now – is that of local traffic. In a day when our astronauts can circle the globe in less time than many Americans spend driving to and from work, our challenge is real, and it is serious, and it is urgent.

The bill would “help us fulfill our goal of making the District of Columbia the model city for the Nation that Washington ought to be.” He concluded:

As one who still remembers the years of fighting the traffic in Rock Creek Park . . . I am personally pleased to be able to sign this very important and this very long-needed piece of legislation.

He handed the first pen he used to Chairman Whitener. He also handed pens to Senator Bible Maryland Governor Tawes, and Mary Hepburn, president of the Montgomery County Council, among others.

The National Capital Transportation Act of 1965 was law (P.L. 89-173).

By the time Congress convened 90 minutes later, the White House had submitted a request for appropriations totaling \$9,179,000 for NCTA to pay for engineering and design contracts, right-of-way, incidental construction, and to additional staff. Of this amount, \$6.7 million was an appropriation for NCTA. The balance of \$3 million would be loaned to the District, then transferred to NCTA as the city’s share of the initial costs. [Eisen, Jack, “Johnson Signs Bill for Subway, Asks \$9 Million as Starter,” *The Washington Post and Times Herald*, September 9, 1965; Flor, Lee, “Johnson Signs Transit Bill,” *The Evening Star*, September 8, 1965]

In the House, the Appropriations Committee reduced the amount to \$6.2 million as part of the \$4.2-billion supplemental appropriations bill. During floor debate on October 14, Representative Glenn R. Davis (R-Wi.), a member of the committee, introduced an amendment to cut the amount to \$750,000 in engineering funds that would be enough only for soil borings. He argued that NCTA should complete the soil surveys before Congress appropriated additional funds:

I think the wise thing to do and it will not result in any unreasonable or unfair delay in the construction of this project, is to get the complete information with respect to the soil conditions where this subway is to be built Then we will have a much better idea as to whether we are talking about \$431 million or \$750 million in order to build a subway here in the District of Columbia.

Congress, he said, did not “have sufficient information in order to provide the initial construction funds which will irrevocably commit us to the construction of a subway.”

Chairman Natcher defended the original amount. In the face of several years of controversy about highways and rapid transit, he had always argued for a balanced system. The amount in the bill was less than the White House had requested, but the committee reduced the amount to what the members considered adequate for the balance of FY 1966. He had his doubt that the system could be completed for \$431 million or in 7 years or that the bonds would be retired out of the farebox. However, the Davis amendment “would simply slow down and bring to a halt the beginning of the rapid transit system for the city of Washington. This must not be done.” The House had approved the system, and Chairman Natcher urged the House to reject the Davis amendment.

Also urging rejection were Representatives Denton (“All things considered, I think this appropriation is at a reasonable level to accomplish the necessary planning”) and Nelsen (“We believe we have done everything we need to do to see to it that our dollars are wisely spent and that our Nation’s capital will be given a transit system that we believe they will need in the future”). The House rejected the amendment, 20 to 76. [Supplemental Appropriation Bill, 1966, *Congressional Record-House*, October 14, 1965, pages 26989-26991]

In conference, the House and Senate agreed to the House-approved amount of \$6.2 million. Without ceremony, President Johnson signed the supplemental appropriations act, which included this amount for rail rapid transit, on October 31, 1965 (P.L. 89-309).

District Home Rule

The issue of home rule was far more controversial in October 1965 than the National Capital Transportation Act of 1965 or the appropriation needed to begin work on the rail transit system. With strong backing from President Johnson, including a “must pass” designation, the Senate had approved a bill in July 1965 giving the District of Columbia the right to hold elections for a Mayor, a 19-member City Council, a school board, and a nonvoting member of the House.

Chairman McMillan strongly opposed home rule and had blocked previous Senate-approved bills by holding them in the District Committee. Professor Tom Lewis, in his 2015 history of Washington, D.C., said of the chairman:

Between 1948 and 1966, from the 78th to 89th Congress, the Senate passed six home-rule bills only to watch them die on the desk of Democratic Representative John Lanneau McMillan of South Carolina. Whenever the Democrats controlled Congress, “Johnny Mac,” as he was known to his constituents in Florence, South Carolina, chaired the House District of Columbia Committee. He called Washington “the last plantation.” Like Senator [Theodore G.] Bilbo [“a white supremacist from Mississippi”] before him, racist but absent of bluster, McMillan thought himself mayor of the District, and acted accordingly. He cut the welfare budget to the bone, passed legislation favorable to Washington’s white business establishment and the Board of Trade, and, whenever a bill was introduced to give autonomy or home rule to Washington, made certain it died in

committee before holding hearings. Home rule would never pass while Johnny Mac was in control

McMillan and his fellow southerners might have lost on civil rights in 1964 and on voting rights in 1965, but they still could deny Washingtonians full citizenship and the right to elect voting representatives to Congress. Over the years they had thwarted nine home-rule bills [Lewis, Tom, *Washington: A History of Our National City*, Basic Books, 2015, pages 390-391, 419]

In a letter to all House members on August 17, 1965, Chairman McMillan argued, first, that the Constitution gave Congress authority over the District:

Thus the people of the states, in the exercise of their sovereign power under a free representative government, established the District as their national capital for their own benefit, reserving to themselves continuing control through their representatives in Congress.

A constitutional amendment, not a law, would be needed to change control over District affairs.

Second, he argued that District residents were not interested in home rule:

Contrary to the appearances of great interest in home rule proposals, so far as residents of the District of Columbia are concerned, the House District Committee has not received 50 letters during the past year urging adoption of such legislation. [Eastman, Sam, "McMillan Attacks Home Rule Drive," *The Evening Star*. August 17, 1965]

Supporters of home rule in the House, encouraged by the White House, decided to get around Chairman McMillan this time by securing signatures from other Representatives on a discharge petition. If successful, the petition would force the bill to bypass the District Committee and secure House consideration of the bill against the will of House leadership. Collection of the 218 signatures needed was completed on September 3.

The Washington Board of Trade made its views clear in a full-page newspaper advertisement. The White House-approved bill would "jeopardize the paramount Federal interest in our Nation's Capital." It would result "in Federal-local conflicts regarding the administration of National Capital affairs." Further, the bill "DOES NOT contain an effective, workable Federal payment formula. In removing this existing formula, sponsors of the bill placed political expediency ahead of the long-range interests of the City of Washington." The result was a "fiscal 'half-a-loaf' of local self-government." It would cause "fiscal chaos" for the city because "'half-a-loaf' is the worst possible legislative diet." ["An Open Letter to the United States House of Representatives," *The Evening Star*, September 26, 1965, B-Back Page, emphasis in original]

On September 30, the House rejected home rule and approved instead a bill introduced by Representative Sisk of California by a vote of 283 to 117. It called for an election within 100 days of the bill's enactment to let voters decide if they wanted home rule. If so, voters would select a 15-member charter board. The board would draft a self-government charter and submit it

to voters within 8½ months after the initial referendum. If voters supported the charter, Congress would consider whether to approve it.

Given the challenge of blending the House and Senate bills in a conference committee, House Majority Leader Albert told reporters, “Home rule is a dead duck this session.” [Eastman, Sam, “Congress Dims ’65 Prospects For Home Rule,” *The Evening Star*, September 30, 1965]

Professor Lewis described defeat of the White House-approved bill as unsurprising in view of Chairman McMillan’s views, but this time, the defeat was especially bitter:

This time, though, it was because of sabotage. [As] the bill neared a vote in the Congress, Washington’s Board of Trade sent a mass mailing to almost every newspaper across the country, which declared that many Washingtonians, including an overwhelming majority of local and professional business leaders, opposed the legislation. The ruse worked. Constituents swamped their representatives with letters protesting the bill, and newspapers wrote editorials in opposition. [Lewis, page 401]

With the first session of the 89th Congress having ended, Senator Bible flew from his home in Reno, Nevada, on November 30 to meet with Representative Sisk to decide how to proceed on home rule. Charles Horsky interrupted his vacation in Montana to attend the meeting on behalf of President Johnson, who had continued pushing for home rule. During the 5-hour meeting, they agreed to use the Sisk charter bill, with some changes, as the vehicle for securing home rule in 1966.

Senator Bible said the Senate could not accept the Sisk bill in its present form but might do so with several amendments that he, Representative Sisk, and Horsky agreed on. They were concerned about a constitutional issue, namely whether a locally elected board could decide how to run the city even though the Constitution had empowered Congress to “legislate exclusively.” From this concern, Senator Bible and Representative Fisk agreed on five amendments:

1. The board should consist of a mix of elected and appointed members, with the President, Speaker of the House, the president of the Senate (Vice President Hubert H. Humphrey at the time), and the District commissioners making some of the appointments.
2. Allow the President and Congress to modify the charter. Representative Sisk thought that letting the President modify the charter “might raise some hackles” in the House, unless the House had the same authority.
3. The charter board would deal not only with the form of government, but with its relationships with Congress. The Senate bill called for an annual payment to the city, fixed by formula, in lieu of taxes on Federal land and property; this commitment was one of the primary reasons for the bill’s defeat in the House. Representative Sisk said, “The House never will accept the automatic federal payment.”
4. Ensure that Congress votes on the charter before local residents do. This would ensure that Congress had a say in the charter before it was presented to the public for an up-or-down vote.
5. Advance \$500,000 from the U.S. Treasury to pay for the charter board’s activities.

Senator Bible and Representative Sisk could not guarantee their colleagues would go along with the final bill. “The truth of the matter,” Representative Sisk said, “is that it’s a rather touch-and-go proposition . . . whether they’re in favor of any home rule. The question is, ‘will they accept any change?’” Nevertheless, the best route to home rule was for the Senate to amend and approve the Sisk bill, then have the House approve it, too.

If the amended Sisk bill became law, it called for actions that would take at least 210 days before a charter went to Congress. The earliest the city could gain home rule under the new charter would be 1967.

Horsky, who said he would report developments to President Johnson, was “encouraged” by developments. “Senator Bible and Congressman Sisk . . . both want a home rule bill.”

Senator Bible said he was satisfied with the results of the meeting. His decision to pursue an amended Sisk bill reflected his judgment that the House could not be persuaded to pass his Senate bill. However, he said, if President Johnson indicated he was committed to the Senate bill and would use all the power he could command to get it through the House, the Senator would do an about-face in support of those efforts. [Bassett, Grace, “Charter Bill Drive Set for D.C. Home Rule,” *The Evening Star*, December 1, 1965; Eisen, Jack, “Bible, Sisk Agree on Home Rule,” *The Washington Post and Times Herald*, December 1, 1965; Bassett, Grace, “Home Rule Route Mapped,” *The Evening Star*, December 2, 1965]

Although the Bible-Sisk agreement offered a path forward, many home rule advocates were unhappy. Joseph L. Rauh, Jr., chairman of the District Democratic Central Committee, had urged Senator Bible to try to secure approval of the Administration bill. Rauh also had asked Horsky to promote the idea during the strategy meeting. “Senator Bible has now rejected our entreaties and abandoned his own bill.” Regarding Horsky’s position, Rauh said, “If Mr. Horsky’s statement that he is ‘encouraged’ by the compromise means that the administration also has abandoned its bill, one must realistically admit that chances of enacting a bill without help from its sponsors are not good.”

Rauh and other advocates recommended that the Senate go to conference with the House to reconcile the Bible and Sisk bills or attach the Bible bill to another, must-pass bill. Rauh added:

There is no reason to believe a charter group could write a better bill than the one that passed the Senate . . . [and] the only reason for writing a new bill would be to delay or defeat home rule.

Rauh and others planned steps to promote their preferred bill, including protests and lobbying President Johnson and Senator Bible, but Congress adjourned on October 23. No further consideration of home rule or charter would occur until the second session of the 89th Congress convened on January 10, 1966. [Carper, Elsie, “Boosters Glum on Sisk-Bible Home Rule Plan,” *The Washington Post and Times Herald*, December 2, 1965; Bassett, Grace, “Home Rule Route Mapped,” *The Evening Star*, December 2, 1965]

As a *Star* editorial titled “Unrest in the Ranks” put it on December 3, “Where all this may lead is hard to say.”

Chalk and the Fare Increase

Throughout debate since the 1959 Mass Transportation Survey about the rail rapid transit system, O. Roy Chalk had refused to cooperate with NCTA. He had tried to gain control of the system. But now, with President Johnson having approved legislation to get the system underway, Chalk reversed positions.

Late in October, he met with McCarter. According to a NCTA spokesman, Chalk said he had opposed the proposal, lost the fight, and now would “fight to make it the best subway in the world.” He added that he had no personal animosity against McCarter. Chalk also initiated cooperation with NCTA on a comprehensive traffic analysis, agreeing that his company’s experts would serve on a technical advisory committee.

Chalk went public on November 2 in a speech to the Montgomery County Chamber of Commerce at the Indian Spring Country Club. He said, “it is my duty to see that the rapid transit system is a great success.” He added, “It is my intention to cooperate in every way” to make it “the best subway-bus system in the world for Washington.”

Chalk acknowledged that he had “ignored” NCTA under Stolzenbach until President Johnson appointed McCarter, “the new and able Administrator” of the agency. He explained his attitude by saying he was never lukewarm. “I am either enthusiastically for it . . . or I am quite the other way, determined to oppose it.” Now, he had “already so advised” McCarter of D.C. Transit System’s cooperation. [Eisen, Jack, “Chalk Vows Cooperation On Subway,” *The Washington Post and Times Herald*, November 3, 1965; Flor, Lee, “Chalk Pledges Subway Help, End of Feud,” *The Evening Star*, November 3, 1965]

While working with NCTA, Chalk was fighting a battle over the fare for using his buses. In June, he had reached agreement with Local 689 of the Amalgamated Association of Street Electric Railway and Motor Coach Employees on a 1-year contract, instead of the usual 3-year contract. It provided for a 15-cent-an-hour wage increase in four steps and improvements in the pension program. The contract gave pension increases to retirees, while offering early retirement for workers whose age and years of service totaled 85. On June 18, workers ratified the contract. [“D.C. Transit Employes Ratify Pact,” *The Sunday Star*, June 20, 1965]

Chalk, according to union president George W. Apperson was interested in an early settlement “so he could get this under his belt so he could apply for a new fare increase.” At the time, commuters paid 85 cents for four tokens, or roughly \$2.13 a week for 10 rides. These prices had gone into effect on April 14, 1963.

Chalk claimed the company was entitled to a 6.5-percent return on its farebox income, but had received only a 3.6-percent return over the previous year. Moreover, the company had lost \$25,127 during the first six months of 1965, with Chalk saying in a statement that the loss amounted to a “decline in net income of 115 percent” compared with the first 6 months of 1964:

We can foresee continued high labor costs and depreciation charges for the second half of this year. In summary, although revenue passengers and revenues for six months are running approximately 1.5 percent ahead of last year, operating costs have increased 2.5 percent over last year. [Flor, Lee, "D.C. Transit Is Expected to Ask Fare Rise," *The Sunday Star*, August 29, 1965]

D.C. Transit System filed an application with the Washington Metropolitan Area Transit Commission to increase the 25-cent fare to 30 cents and the cost of four tokens to \$1. The company, which wanted the increases to become effective on October 17, said that current fares had not resulted in "just or reasonable returns." With increased wages, salaries, and benefits for union and non-union employees, operating costs would increase an estimated \$2 million. If the current fare schedule remained in place, D.C. Transit System would lose more than \$580,000 in 1966. With the proposed fare increases, the company would have a return of 5.58 percent. ["D.C. Transit Asks For 30-Cent Fare," *The Sunday Star*, September 19, 1965]

On October 8, the commission suspended imposition of the new fare for 90 days or until it completed public hearings on the request. It directed the company to provide a copy of its request and documentation to individuals and organizations who formally indicated objections to the increase. At that point, objections had been filed by three citizens, the civil rights group Student Non-Violent Coordinating Committee (SNCC), and Local 74 of the Building Laborers Union.

The commission also ordered that D.C. Transit System was entitled to another year of exemption from the District's real estate taxes, a move that would save the company \$139,376. Under the 1956 charter, the taxes were to be suspended if the company did not have a 6.5 percent profit. [Flor, Lee, "D.C. Transit Fare Boost Blocked, Hearing Slated," *The Evening Star*, October 8, 1965]

Lee Flor told *Star* readers that the commission's decision on the company's request might be affected by a "little-noticed decision by the U.S. Court of Appeals" in April 1965. After the commission approved a fare increase in April 1963, two transit riders, represented by attorney Leonard N. Bebchick, went to court. The court found that Congress kept the bus rates high to allow Chalk to repay the mortgage used to acquire the franchise. Ten years later, "the gamble on traffic levels after the resumption of operations was won":

We think the time has come for the commission to make a careful review and analysis of the earnings experience of [the company] from its inception [in 1956] and of what that experience has meant

The 1963 fare increase was the first time the commission had been asked to review a change; previous fare requests had been considered by the commission's predecessor, the District's Public Service Commission. The court found that the commission should have considered how much profit the company was entitled to receive. Flor wrote:

The transit commission is concerned, because the court scolded the agency for its reasoning, judgment, and even for the language used when it tried to explain its decision in 1963 to raise transit fares.

The court, Flor continued, “ordered the transit commission to review its thinking and come up with a clearly defined set of reasons for either increasing the company’s fares or keeping them at the same level.” Critics of the new fare increase were likely to raise the court ruling as one basis for their objections. [Flor, Lee, “Bus Fare Hearing to Begin Tomorrow, With New Rules.” *The Sunday Star*, November 7, 1965]

On November 8, the commission opened a public hearing in the hearing room at the Interstate Commerce Commission. Engineer Commissioner Duke, newly elected chairman, was the major hearing officer. Almost immediately a dispute arose between D.C. Transit System and civil rights groups such as SNCC and Americans for Democratic Action (ADA) that had brought about 100 associates to the hearing.

These organizations and other civil rights groups had held a rally the day before to plan their protest against the fare increase. They discussed a bus boycott modeled on the successful boycott in Montgomery, Alabama, in 1955-1956. Roena Rand of the Congress of Racial Equality (CORE) said, “if the people of Montgomery could do it, there’s no reason why we can’t.” Julius W. Hobson of Associated Community Teams suggested putting private cars on bus lines to get boycotters to and from work.

At the rally, the Reverend Philip R. Newell of the New York Avenue Presbyterian Church urged Chalk to “go out and seek his profit elsewhere if he’s not interested in offering public service to this community.” SNCC counsel William L. Higgs said the company was returning a 25-30 percent profit. He argued “this is an unbelievable amount of money to be making, particularly at the expense of poor people who have to ride their buses.” The Reverend William Wendt of the University Neighborhood Council said:

The real issue behind this is segregation. All they want is more white people to ride those buses.

Other speakers at the rally included SNCC national Director John R. Lewis and Washington Director Marion Barry, Jr., and Executive Secretary Edward Hailes of the local chapter of the National Association for the Advancement of Colored People.

At the public hearing, D.C. Transit System’s attorney, Harvey Spear, objected to the appearance of the civil rights groups and Leonard Bebhick who was representing the Democratic Central Committee and the D.C. Federation of Civic Associations:

D.C. Transit’s record on civil rights is as high as any firm in the nation. We don’t want that spoiled by any implication that any single group would be discriminated against by this fare increase.

He argued that these groups were the same ones fighting for District home rule. Now, they wanted to use the hearing as a “political football” in support of their cause. He said he also

would research whether the tax-exempt status of some of the groups would prohibit them from protesting the increase.

General Duke deferred a decision, saying the groups could participate in the hearing. The commission would decide later whether their participation was appropriate. [Flor, Lee, "Bus Fare Hearings Open With a Fight," *The Evening Star*, November 8, 1965]

While the commission concluded several days and night of hearings, the civil rights groups planned a 1-day bus boycott. It took place on Monday, January 24, 1966, focused on the nine-bus routes along Benning Road, NE., but leaders encouraged boycotts of other lines. SNCC's Marion Barry, Jr., told reporters the boycott was 90 percent effective along Benning Road, and about 40-45 percent effective on other lines. SNCC claimed that about 130,000 people stayed off the buses, traveling to and from work in carpools, cars operated by volunteers, some private buses, and by hitchhiking. ["Buses Hit by Fare Boycott, Benning Rd. Effect Held 90%." *The Evening Star*, January 24, 1966; Corrigan, Richard, "SNCC Claims Bus Boycott Was a 90 Per Cent Success," *The Washington Post and Times Herald*, January 25, 1966; "Bus Rider Loss 130,000, Boycott Leaders Say," *The Evening Star*, January 25, 1966]

On January 26, 1966, the three-member commission unanimously rejected D.C. Transit System's rate increase request. The only concession to the company was that it could increase the fare for its money-losing downtown F Street minibuses from a nickel to a dime.

The commission praised the company's good bus service and observed that "uncontradicted testimony establishes that D.C. Transit is performing service at the lowest basic fares of any comparable private bus operation in the United States." The upward trend in ridership was one reason the company could expect to make more money during the coming year. The commission also suggested that the company could bolster its cash position by skipping its annual \$500,000 cash dividends, offering a stock dividend instead to increase investors' equity. (The parent firm of D.C. Transit System, Inc., of the District of Columbia was D.C. Transit System, Inc., of Delaware. Trans Caribbean Airways was the majority stockholder of the Delaware corporation. Chalk was the majority stockholder of the airways corporation.)

In addition, the commission ordered several bookkeeping changes that, coupled with fare income from increased numbers of passengers would produce a net income of \$2 million or 6.03 percent of gross operating incoming. Reckoned on the depreciated value of the company's properties, the return would be 7.4 percent. To achieve these goals, the commission directed the company to take \$1.3 million from a Riders' Fund, a reserve established in 1963 after the court determined that the company had received an unfairly high fare increase 2 years earlier. The fund would now be used to "reimburse" riders by paying for retaining the present fare. Another \$800,000 of the fund would be used toward depreciation reserves. The Riders' Fund would be exhausted in a year, when labor and cost-of-living adjustments were expected to rise again.

Delmer Isom, the commission's executive director, emphasized that the timing of the decision had nothing to do with the bus boycott 2 days earlier. Any reading of the complex, 44-page order would show that it was released when it was ready, not hastily assembled 2 days after the boycott.

Appeals of the decision were likely, but Chalk, from his office in New York, said, “We have not as yet had the opportunity of studying the opinion and we have no comment at this time.” [Eisen, Jack, “Transit Board Rejects Higher Bus Fares Plea,” *The Washington Post and Times Herald*, January 27, 1966; Flor, Lee, “Court Appeal Expected In Ban on Fare Boost,” *The Evening Star*, January 27, 1966].

The D.C. Revenue Act

At the start of 1965, the *Star* expected several transit and highway issues to dominate the news during the year. “The leading issue” was whether Congress would approve legislation authorizing rail rapid transit system for the Washington area, an issue that was resolved when President Johnson signed the National Capital Transportation Act of 1965.

The region also faced pressure to complete work on the 3C charter for transportation planning by the deadline of July 1, 1965, imposed by the Federal-Aid Highway Act of 1965. The region met the deadline, as described earlier.

Another major issue left over from 1964 was the proposal authorizing the city to issue bonds to raise \$35 million in local money to match Federal-aid highway funds and increase the gas tax by a penny to retire the bonds. The *Star* stated that “without the additional borrowing power, the District’s freeway program is absolutely doomed, District officials say.” In 1964, the House District Committee had stopped the bill after holding hearings in May:

Because citizen groups may want to carry their fight against a proposed North-Central Freeway to Congress, this measure may be extremely controversial. Groups opposing the Three Sisters Island Bridge and any new attempt to build a freeway near Wisconsin Avenue NW also may show up to oppose the pending proposal.

District officials would ask the 89th Congress for the funds. [“Rapid Transportation Plan Remains A Major Issue,” *The Evening Star*, January 4, 1965]

Lee Flor wrote:

The Washington business community is entering 1965 with the future of its downtown center literally hanging on the fate of two proposals for transportation. Both proposals, one for a \$500 million system of freeways and the other for a \$431-million rail rapid transit system, are in trouble.

According to NCTA’s financial forecasts in 1963, the difference was that if transportation improvements were completed, downtown sales would total about \$817 million by 1980; if not, sales would be around \$567 million. Projecting the results to 2000, the difference was \$947 million compared with \$691.

To fight for both systems, the Metropolitan Washington Board of Trade, the Washington Board of Realtors, the Federal City Council, and Downtown Progress had formed the Joint Committee on Transportation. The committee’s support helped secure enactment of the transit legislation. However, the freeway system also was important:

With the bond issue, the District has a fighting chance to complete its inner loop freeway system. Without it, it has no chance at all. Congress rejected this proposal last year, but the business community is going to try to get it through once more. [Flor, Lee, "Downtown Fate Rests on Two Transit Plans," *The Sunday Star*, January 10, 1965]

President Johnson, a day after his inauguration following his landslide election victory, had referred to the issue in his annual message on the District budget.

The highway program, which is also urgently needed, will be delayed for lack of funds in fiscal year 1966 unless the resources of the highway fund are increased. I am, therefore, again recommending an increase of \$35 million in the loan authorization for the highway program and an increase of 1 cent in the gasoline tax. The new District gasoline tax rate of 7 cents will correspond with the rates in Maryland and Virginia and will yield an additional \$2 million annually, a sum sufficient to retire the \$35 million loan in 30 years. This tax and borrowing program continues the sound policy of financing the street and highway system by taxes based upon use.

Securing the revenue for the District was a two-step process. First, Congress would have to approve, and the President sign, authorizing legislation cleared by the House and Senate District Committees. Second, Congress would have to approve, and the President sign, a District appropriations bill making the funds available for use.

On March 18, the House Appropriations Committee approved a budget that sliced \$31 million from the District's FY 1966 budget, with more than half the cut coming from the school budget. This action reflected District Subcommittee Chairman Natcher's longstanding concern that District officials submitted unbalanced or deficit budgets in expectation of congressional actions on authorizations that ultimately did not take place, such as the failure of the revenue bill in 1964. Chairman Natcher was not willing to appropriate in expectation of an authorization. "Our Committee must present a balanced budget," he said.

He cut the appropriation for District schools, but the committee report made clear that the appropriators, and more specifically Chairman Natcher, wanted the District to advance the city's Interstate freeways. In the *Star*, Grace Bassett wrote:

Rep. William Natcher, D-Ky., made it clear that neither time nor area transit proposals must prevent completion by 1972 of District highways financed 90 percent by the federal government The intensity of his commitment to the interstate program was reflected in the language of the full committee report, including all interstate projects that can be financed within current gas tax and federal loan revenues Repeatedly at hearings, Natcher chastised highway construction delays in the face of rising construction costs.

The House committee recommended spending \$4.8 million for seven Interstate projects, and ordered District highway officials to "move" \$1.4 million previously appropriated for a Potomac River bridge and freeway and the northwest link of the Inner Loop.

To accomplish these goals, the report demanded that the city exhaust its borrowing authority for matching funds:

The \$3.9 million in federal loans for interstate roads cleared by the committee exhausts the \$50.2 million of federal loans authorized by Congress for this purpose. Local taxpayers are repaying previous highway loans at the rate of \$2 million annually, including interest. [Bassett, Grace, "House Unit Demands D.C. Speed Road Construction," *The Evening Star*, March 18, 1965]

In early April, Chairman McMillan introduced legislation authorizing the penny increase in the gas tax and \$35 million in additional borrowing authority to keep the city's highway construction program on schedule. The bill also contained other city tax changes to balance the budget, particularly for schools, as submitted by the White House in January. ["McMillan Introduces 2 D.C. Tax-Rise Bills," *The Evening Star*, April 7, 1965; "D.C. Tax Bill Offered, Half That Asked by Johnson," *The Washington Post and Times Herald*, April 8, 1965]

On May 6, Engineer Commissioner Duke appeared before the District subcommittee headed by Representative Thomas H. Abernethy (D-Ms.) that was considering the highway revenue provisions. General Duke disclosed that the total cost of the city's Interstate freeway network, built and unbuilt, had increased by \$100 million to \$600 million. The remaining segments would cost \$360 million, with the District's share being \$36 million based on the 90-10 Federal-State matching ratio. The additional revenue was needed if the city was to finish the Interstate network by the October 1972 end of the Interstate construction program.

General Duke told the subcommittee that the increased cost reflected the rising cost of right-of-way acquisition, the increased price index for construction, and expanded use of tunnels and other impact mitigation features. "Recent experience indicates that right-of-way costs, particularly in highly developed areas of the District, have been increasing between 7 and 13 per cent per year," he told the subcommittee during the 1-hour hearing. [Eastman, Sam, "New Road Costs Rise \$100 Million," *The Evening Star*, May 6, 1965; Clopton, Willard, "Duke Endorses Rise In D.C. Gasoline Tax," *The Washington Post and Times Herald*, May 7, 1965]

Overall, the District's Interstate and other highway projects would cost about \$527 million over the next 6 years, with the District's share totaling \$183 million. Based on current authorized sources, the city would earn about \$117 million during that period. The city needed an additional \$66 million to meet the 90-10 or 50-50 matching shares on Federal-aid projects and the cost of improvements developed with only District funds.

The Abernethy subcommittee approved the bill on July 14 containing the highway revenue increases and other changes. ["Tax Rise Bill For D.C. Gets House Backing," *The Evening Star*, July 14, 1965; "House Group Approves Income, Gas Tax Rises," *The Washington Post and Times Herald*, July 15, 1965]

For several months, Chairman McMillan held the bill while he battled home rule. After the House approved the Sisk charter bill, the House District Committee approved the revenue bill on October 8, leaving time for House consideration on the session's last Monday District Day of the

year. Representative William L. Dawson (D-Il.) had tried to kill the \$35 million in additional loan authority, but the committee defeated his motion by a 16 to 4 vote.

The committee report described the freeways as “urgently needed” and confirmed its “support of a balanced transportation system for the Nation’s Capital.” However, the committee was concerned about community dislocations:

The committee strongly urges that maximum effort be made to minimize the hardship of families displaced by highway construction. The Central Relocation Service must redouble their efforts to help displaced families. District officials must encourage the development of housing units for lower and middle-income families. Full authority must be exercised to alleviate the current crisis situation that exists with respect to housing in the District.

The location and design of future highways must minimize the impact on homes and residential communities wherever possible. Imagination and innovation must be the watchwords of the highway planner. Maximum use of tunneling and utilization of air space above highways for playgrounds and schools should be encouraged if feasible.

A poorly planned freeway can be a terribly disruptive factor in a local community. Use of existing rights-of-way, location of routes beside and over railroad tracks and along natural boundaries, such as rivers must be given first priority by highway planners. Construction of freeways or highways in industrial or commercial areas, particularly those past their economic prime, should be actively considered as an alternative to locations in residential areas.

Full consideration must be given to alternative routes which would minimize the impact of construction on residential communities. Federal officials are urged to cooperate fully with District officials and, to the extent possible, make federally-owned land available if it is not in use.

In a reflection of Peter Craig’s success in creating doubts about the factual basis for the program, the report also said:

Finally, in view of these deep concerns of your committee and other related issues which bulked large in committee hearings, there are indications of a real need for restudy and reevaluation of the highway program of the District of Columbia. Your committee has found that projects for highway needs for 1965 developed in the Mass Transportation Study of 1959 substantially exceeded actual traffic counts. Similarly, the projections of the National Capital Transportation Agency surpasses [sic] actual experience.

Analysis of traffic counts of crossing [sic] to and from the District of Columbia in recent years shows a declining ratio between population growth and daily trips. The forecasts and projections presented by highway officials cannot be reconciled reasonably with other information available to your committee. The projections and forecasts of future needs made by highway officials show trends contrary to actual experience and do not seem to

justify some of the proposed program. Accordingly, a careful, objective review and reappraisal is desirable.

Such restudy should result in a highway system abundantly adequate for the needs of the Capital City and at the same time preserve as much as possible of the original character and beauty of the city with a minimum of inconvenience and dislocation of its citizens and businesses.

Representative Dawson joined Representatives Charles C. Diggs, Jr. (D-Mi.), and J. Oliva Huot (D-NH), and Multer in offering a minority response in the committee report. They argued that Congress had not specifically approved many of the freeway projects. The freeways consumed valuable land area. The program was over-expanded and lacked planning justification. The additional borrowing would impact a “fiscally irresponsible” burden of \$2 million in debt service on Washingtonians. They added that “virtually all elements of the community” opposed the projects.

On October 11, District Day, the revenue bill reached the House floor where it “sailed through without debate or objection,” according to the *Star*. George Lardner, in the *Post*, referred to the “strongly worded 15-page minority report condemning the additional borrowing authority” and suggested it might lead one to expect a bit of debate on the House floor:

There was nothing of the sort. Nobody squawked. Passage by non-voice vote took less than a minute. Eight minutes after it started, District Day was over—with seven bills passed and not a word said about the merits or demerits of any of them.

Finally, House Majority Leader Carl Albert (D-Okla.) took a look around and decided it was time to get a quorum on the floor. The House had some important things to discuss.

[Eastman, Sam, “House Unit OKs Roads Bill,” *The Evening Star*, October 8, 1965; Eastman, Sam, “House Clears D.C. Funds Bill,” *The Evening Star*, October 11, 1965; Clopton, Willard, “Road Program Clears House, Senate-Bound,” *The Washington Post and Times Herald*, October 12, 1965; Lardner, George, Jr., “No-Quorum House, Without Debate, passes 7 City Bills in 8 Minutes,” Potomac Watch, *The Washington Post and Times Herald*, October 13, 1965; Providing Additional Revenue for the District of Columbia, *Congressional Record-House*, October 11, 1965, pages 26489-26495]

With Congress moving to adjourn the session in a week and a half, the prospects for rushing the bill through the Senate were not good. In addition, Senators Case and Tydings of the Senate District Committee were urging a go-slow approach to freeway building while other elements of the bill, such as the section on income taxes, had their critics. [Eastman, Sam, “Revenue Bill Imperiled on Two Points,” *The Sunday Star*, October 17, 1965]

In hopes of completing the legislation before adjournment, Senator Bible held hearings on the bill for October 20-21. Commissioner Tobriner and General Duke urged passage of the bill, but Senator Bible wondered about the urgency of completing action during the current session:

You say you have to have it now. You've got to have it without amendment. Yet the number of witnesses seeking to testify indicates that everybody in the city is far from agreed on the need.

He asked, "Can't it wait until January?"

Tobriner replied that "to be perfectly candid, the District is not going to fall apart if we don't get the money. Anybody with common sense would have to say that. But our services in the city will be impaired," he added, referring to the entire revenue bill, not just the highway portion.

General Duke argued that the District would be unable to seek Federal-aid highway funds without the loan authorization. Questioned by Senator Bible, General Duke conceded that District officials could work on the assumption that the authority would eventually be provided.

Senators Dominick, Morse, and Tydings questioned General Duke and Director Airis on the impacts of freeways on the city and displaced residents. Senator Morse was not reassured when Tobriner stated that under the new District housing law, the city must certify that housing is available at comparable rents before construction can begin on acquired property. Senator Morse asked, "But is the housing here? Will you be moving people from one slum to a worse slum?" He argued that the city and Congress must provide financial assistance to house displaced families. Tobriner told him, "We'd be happy to see it."

An unexpected problem arose because of a seemingly obscure provision that Chairman McMillan put into the House bill that benefitted only one District resident, former GSA Administrator Jess Larson. The provision related to tax relief for the sale of stock in the liquidation of a West Coast transport company. Senator Bible admitted, "Frankly, I don't know what it does." Tobriner said he was willing to accept the provision "as a matter of expediency" because of the importance of the rest of the bill to the city. Other provisions of the bill also raised concerns from members of the committee. [Bassett, Grace, "D.C. Revenue Bill Runs Into Trouble," *The Evening Star*, October 20, 1965; Carper, Elsie, "D.C. Revenue Bill Falts In Senate Unit," *The Washington Post and Times Herald*, October 21, 1965]

By the end of 2 days of hearings, the bill was essentially dead until 1966. Senator Bible publicly blamed the failure on "adjournment fever," but many provisions of the bill had come under scrutiny, especially during the second day of hearings when citizens and civic groups testified. According to the *Star*:

On the highway issue, residents insisted at Senate hearings that freeways must not be allowed to displace poor people from homes unless new housing [at] comparable rents can be located for the displacees

One major argument of articulate, well-organized freeway opponents was that the inner loop never had been authorized as a whole by Congress. Instead, Congress voted money, segment by segment.

Bible recognized that Congress had failed to answer the question – "Is there or is there not authority to build the inner loop?"

Senator Bible attempted to call a meeting of the Senate District Committee on October 22. “We’ve got to clear the air.” He told reporters. “My legislative committee is going to face up to the problem: Is there authority for these freeways or isn’t there?” However, he could find only one other member, and canceled the meeting.

When the first session of the 89th Congress ended on October 23, the revenue bill was alive, but would have to be considered in the second session that would open on January 10, 1966.

As George Lardner began his Potomac Watch column:

City officials slipped on a king-sized banana peel when they trotted before the Senate District Committee the other day. They tried to get rush approval of a key tax-raising bill before Congress adjourned. And they fell flat on their faces.

They might have had better luck if they had “worked a bit harder at conveying a sense of urgency about the bread-and-butter legislation to pay for programs they think are needed.” For example, Senator Dominick “wondered what the city needed the money for” in view of the fact that Washington’s overall population had been more or less stable for several years. He even questioned why the city needed more money for schools, suggesting that “the public schools might not really be overcrowded.” Tobriner’s response was that the school-age population was growing faster than the overall population and that many students were taught in the basements of schools built in the late 19th century:

But Tobriner’s monotone answer [was] largely in generalities. He used the word, “urgency,” several times in his prepared statement, but he didn’t convey the idea.

The only statements in support of the income tax measure were “unread statements dropped into the record”:

The hearing room was full of familiar faces and organizations, such as the Democratic Central Committee – old standbys who show up time and again to testify about the city’s needs at hearings on crime, welfare programs and city appropriations. But when it came to hearings on a money-raising bill to help pay for the programs all they could do was complain about the city’s highway plans.

All things considered, Lardner wrote, “the postponement until next session was inevitable.” [Lardner, George, Jr., “City’s Laggard Tax Raising Plea Lost by Pallid Lack of Urgency,” Potomac Watch, *The Washington Post and Times Herald*, October 26, 1965]

On October 26, the *Star* reported that Chairman McMillan had appointed a special subcommittee to study revenue-raising measures for the District of Columbia. Representative Whitener was chairman of the special subcommittee, which included Democratic Representatives Dowdy and Fuqua and Republicans Harsha and Roudebush. The article did not state when Chairman McMillan appointed the subcommittee, but he appeared to do so after the House District Committee approved the revenue bill without several of the revenue ideas the city and President Johnson had recommended. In addition to studying revenue options, the subcommittee would consider the possibility of bringing the city’s income tax brackets in line with Federal brackets.

["McMillan Names Unit to Study D.C. Fund-Raising Bills," *The Evening Star*, October 26, 1965]