

The D.C. Freeway Revolt and the Coming of Metro
Part 10
The End of the Road

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Part 10 The End of the Road

Fighting Words

In summing up the District's freeway issues, Thomas Crosby wrote in the April 7, 1974, issue of the *Star*:

The surest way to draw a hostile crowd in Washington these days is to propose a new super highway. This area has become a hotbed of anti-highway sentiment, and untiring citizen activists have caused the demise of several big and expensive highway projects.

Dust, he said, was gathering on the drawing boards for the remaining freeways, delayed by "suits, public hearings media blitz campaigns and even unruly demonstrations." The message was loud and clear: "no more big highway projects at the expense of neighborhood environments."

In summary:

The result has been highway officials charging freeway foes are misguided zealots who don't realize the failure to build more highways could have a disastrous long-term effect on the area's goal of a balanced transportation system employing buses, rapid rail and highways.

But highway foes argue that the wave of the future – especially in light of the energy crisis – is emphasis on mass transit, both Metrobus and the coming 98-mile regional rapid rail system.

Only history will prove which group is correct.

Crosby went through each of the planned freeways. In view of citizen opposition, he wrote, Mayor Washington had withdrawn his support of the South Leg tunnel plan between the Lincoln Memorial and the Tidal Basin. "It now appears dead."

Maryland had killed I-95 between the Capital Beltway and the District line. The State planned to widen the Baltimore-Washington Parkway to Interstate standards.

The U.S. Department of Transportation was studying the Three Sisters Bridge "but appears to be in no hurry to reach a conclusion." Crosby added, "The bridge has been so vigorously opposed by District and Virginia citizens that on at least two separate occasions bridge foes have been arrested."

The Industrial Freeway in the New York Avenue corridor "which would connect with I-95 in Maryland and the new Center Leg in downtown Washington, is under active consideration" by District highway officials. "However, highway officials are afraid to announce their plans because of the current anti-highway fervor and because the freeway would require the razing of nearly 600 Washington homes."

Crosby described I-66 in Virginia as “still alive and kicking,” but the pending decision by Secretary Brinegar on the \$181 million highway would not be the conclusion. A court challenge was “a virtual certainty no matter what Brinegar decides,” meaning that “the I-66 controversy is likely to be around for some time.” [Crosby, Thomas, “Them’s Fighting Words,” *The Washington Star-News*, April 7, 1974]

Although Crosby described I-66 as “alive and kicking,” the highway got off to a bad start in 1974, largely based on the draft EIS prepared by Howard, Needles, Tammen, and Bergendoff and released in November 1973. The Council on Environmental Quality and EPA came out against I-66. The council found “little justification” for I-66, saying a mass transit option that included Metro was “clearly . . . preferable.” EPA Deputy Administrator John Quarles issued a position paper on I-66, saying “it does not seem prudent from the standpoint of attaining clean air.” Because highway construction would result in more automobile traffic, EPA concluded that the route was “environmentally unsatisfactory.”

Emilia Govan, learning of the EPA report, said “If reason and logic prevail, this is the death blow for I-66.” She added that if VDH defied Federal law, it “would invite considerable litigation.”

Harrison Mann of Citizens for I-66 said of the report, “Apparently many environmentalists haven’t discovered that people too are part of the environment and that their needs are paramount to other factors, like trees, squirrels’ homes, flyways for migrating birds and stuff like that.”

On January 11, the *Post* and *Star* reported on a Department of Transportation report, prepared in the office of General Benjamin O. Davis, Jr., Assistant Secretary for Environment, Safety and Consumer Affairs. Construction of I-66 would be unnecessary and illegal. “Based on the highly questionable need for the highway and also on the substantial environmental impacts,” the report said, “it would appear doubtful” that I-66 “would meet requirements of applicable law.”

The highway was not needed to handle peak-hour projected traffic loads in 1995. Two other options in the study, the “base case” and “transit option,” would provide adequate capacity. As a result, the report could find “no justification” for building I-66 as a six- or eight-lane freeway.

Moreover, the freeway option “would appear to be inconsistent” with the area’s plans for complying with Clean Air Act requirements. Further, none of the I-66 options could be approved because they did not satisfy Section 4(f) in their impact on parkland.

In transmitting the report to FHWA’s Virginia Division Engineer, Harold King, General Davis indicated that at this point, approval of I-66 appeared doubtful. Department of Transportation spokesman H. Davis Crowther told reporters that the staff paper did not necessarily represent Secretary Brinegar’s views and that General Davis may take a different position after reviewing the final EIS.

King pointed out that the final decision rested with Secretary Brinegar, not a staff paper:

King said yesterday that Davis’ office did not have access to all the information available on I-66 and thus should not have indicated a preference. He said he had received but “not

accepted” the report and would send a response to the report to assistant secretary Davis’ office.

King added that he did not think “anyone in DOT should make a preference. We are still studying the whole picture. I haven’t made a final decision and I don’t like anyone else to.”

ACT’s James Govan responded to the report by saying, “There’s not much more to be said about the fate of the highway when a DOT department takes a position like this.”

[Shaffer, Ron, “I-66 Plan Opposed By EPA,” *The Washington Post*, January 7, 1974; Gay, Lance, “EPA Requests Delay on I-66,” *The Washington Star-News*, January 7, 1974; Shaffer, Ron, “Federal Report Opposes I-66,” *The Washington Post*, January 11, 1974; Griffiths, Harriett, “I-66 Leg Illegal, DOT Report Says,” *The Washington Star-News*, January 11, 1974; Shaffer, Ron, “Federal Report Opposed I-66,” *The Washington Post*, January 11, 1974; Shaffer, Ron, “3d U.S. Panel Criticizes I-66,” *The Washington Post*, January 13, 1974; “The Unwinding of I-66,” *The Washington Post*, January 15, 1974]

On January 13, Mayor Washington responded to a letter he had received in December from I-66 opponents: former NCPC Chairman Rowe, now chairman of the Committee of 100 on the Federal City; Dr. Ellis Haworth, president of the Federation of Citizens Associations of the District; and F. H. Thomas, vice president of the District of Columbia Federation of Civil Associations. They urged him to encourage Director Airis to vote against I-66 as a member of TPB when the issue came up for a vote. If I-66 were abandoned, they argued, about \$200 million would become available for transit under the Interstate withdrawal-substitution provision of the Federal-Aid Highway Act of 1973.

The mayor replied that “the uncertainty of this provision of highway legislation” raised some concerns. Action should not be taken hastily. He urged TPB to examine carefully whether the substitution funds would be made available before deciding what to do about I-66.

TPB was scheduled to consider a motion introduced by Arlington County Board’s Munsey to reject I-66 and the Three Sisters Bridge. Because of uncertainty about the transfer program, Munsey anticipated that TPB might postpone the motion. “I think there is some uncertainty about it, but I don’t know how we are going to know if it will work or not without going ahead and trying it.”

James J. Bosley, COG’s general counsel, agreed with Mayor Washington about proceeding cautiously. The interim regulations on the withdrawal-substitution provision “say if the situation is right they should go ahead and not wait for the [final] regulations to come out.” At that point, the Department “will give them guidance.”

Director Airis was skeptical of the withdrawal-substitution provision, which he called “very difficult and unclear.” No one had tried it as yet. He said, “It is in its infancy. The feeling seems to be there’s got to be more guidance set up, probably through further legislation.”

He declined to say how he would vote on the TPB motion. He agreed “there is a heavy need for a connection between Washington and the Dulles area and I-66 would provide this connection.”

At the same time, he did not appreciate Munsey's decision to bring a Virginia problem to the TPB:

The Virginia folks ought to wrestle with the problem themselves. I think it is improper at this time to ask TPB to rule on this when they can't make their own minds up. [Kiernan, Laura A., "Hasty I-66 Action Opposed by Mayor," *The Washington Post*, January 14, 1974; Duvall, Owen, "I-66 Rejection Could Cost Transit Cash, Mayor Says," *The Washington Star-News*, January 14, 1974]

Summing up these developments in an editorial on January 15, the *Post* noted, "You would think that these recent developments would be enough to close the case once and for all – but there is yet another crucial round in the offing this week," namely the TPB action:

The effort is important because it would put the entire region on the record against both projects – a move viewed as a lethal blow to chances for federal approval.

As for Mayor Washington's concern that "premature rejection of the plans could jeopardize chances to use the federal money for mass transit," the editorial stated:

Unlike Virginia Gov. Mills E. Godwin, who wants I-66 built, the mayor has not said he favors the freeway projects; it's just that he's not sure they should be killed until it can be established that the federal funds can be transferred to mass transit.

Amidst these pending uncertainties, "We probably ought to withhold our applause until the final curtain officially comes down, but it looks as if Greater Washington's oldest running road show – 'Freeway Follies of '48,' featuring the Three Sisters and assorted legs – may at last succumb to the critics and close." They concluded:

I-66 and the Three Sisters Bridge are not merely local issues anymore – if they ever were. The federal and local decisions on these projects will serve as signals to the entire nation about the seriousness of governments in regard to mass transit needs at a time of intense concern over the energy situation. If nothing else, mere prudence dictates against going ahead with huge highway projects now. The mayor, the Council of Governments and the Secretary of Transportation should take all steps necessary to ring down the curtain on the I-66 and the Three Sisters Bridge. ["The Unwinding of I-66," *The Washington Post*, January 15, 1974]

On January 18, HUD expressed "grave concern" about I-66 based on the draft EIS, largely because of "major disruption to neighborhoods and schools" and "significant and adverse" problems in residential relocations. In a letter to VDH, Robert Duckworth, HUD's assistant area director for planning, wrote that the project would require the relocation of 161 households. (Virginia had acquired about 85 percent of needed right-of-way; HUD was referring to the remaining acquisitions.) "With Fairfax County's latest building moratorium, it could be concluded that the highway option is not in step with current local land use policy efforts." HUD favored the mass transit option, which would require the taking of only 35 households.

The *Post* summarized the housing issue:

Relocating households is a problem, HUD said, because Arlington has a low vacancy rate and “one for one replacement will be extremely difficult at least for the next several years.” There is concern, HUD said, that the number of households uprooted by I-66 would create problems in meeting the Uniform Relocation Act of 1970, which requires federal assistance in relocating families within the same general area where they were displaced by a federally-funded project.

Duckworth wrote, “From a HUD point of view, that’s a major, significant impact – adverse.”

I-66 was “not prudent and realistic . . . from an environmental perspective.” The central question, according to HUD, involved a choice: whether to support travel modes that “are wasteful and inefficient energy users, or creatively seek . . . new travel patterns which are less wasteful and more efficient.” The decision on I-66 would “point in the direction the federal government will take” in deciding highway versus transit issues. For HUD, the mass transit option was “significantly superior” to the options involving I-66.

The *Star* explained that highways encouraged diffuse development, while rapid transit encouraged concentrated development surrounding transit stations:

By diffusing development, the highway would interfere with the “edges and corridors” pattern of development for the metropolitan area, the report said.

The HUD letter also indicated that the EIS had not fully addressed the impact of I-66 on the District of Columbia. The study, however, “does indicate” that the transit option would generate less traffic in the city than the highway option. [Shaffer, Ron, “HUD ‘Concerned’ By Impact of I-66,” *The Washington Post*, January 19, 1974; Kast Sheilah, “HUD Joins I-66 Opposition,” *The Washington Star-News*, January 19, 1972]

Notwithstanding those negative views, Douglas Fugate made his well-known views clear when he appeared before the Senate Rules Committee of the General Assembly on January 31:

I am convinced that if this badly needed highway . . . is lost by default, the transportation system of Northern Virginia will suffer a mortal blow impossible to correct in the foreseeable future. I don’t see how the consultants can recommend other than to build I-66.

Delegate Mary A. Marshall of Arlington said his remarks were an “outrage to the citizens, another opportunity to be ignored.” Another delegate from Arlington, John L. Melnick, said, “It shows there is not impartiality.” Emilia Govan agreed. “Apparently the court decision and the laws of the United States are irrelevant to Mr. Fugate.”

Project supporters saw no outrage. “I don’t see any impropriety,” said Senator Adelard L. Brault of Fairfax. “He’s fully informed about the impact.” Paul Alwine of Fairfax County Citizens for I-66 responded, “It doesn’t bother me any more than all the environmental groups who are prejudging, too.” [Bredemeier, Kenneth, “I-66 Backed By Virginia Roads Chief,” *The Washington Post*, February 1, 1974]

The consultants completed their work on February 15 by recommending the multi-mode new facility option: construction of I-66 with Metro rail partly in the median and partly parallel to it. They also recommended construction of I-66 to accommodate I-266/Three Sisters Bridge. The bridge was “inextricably linked” to completion of I-66 as the outlet for truck traffic banned from the I-66/Theodore Roosevelt Bridge. However, the report added that I-266/Three Sisters Bridge was “not absolutely essential to the implementation of I-66.”

They rejected the option of combining rail rapid transit and expanded bus service. Nevertheless, they recommended several elements of the transit alternative, including extension of Metro to Dulles International Airport, a comprehensive feeder bus system for the Metro stations, an increased numbers of preferential bus lanes. In fact, the EIS stated, unless funding can be found for Metrobus operating deficits, northern Virginia might find itself “without any transportation relief.”

The EIS, in any event, argued that the automobile was the key to suburban development, serving job centers, recreational facilities and housing over a wide area not easily served by transit. Building only Metro, the document said, would leave the rapidly growing area without “a fully balanced and flexible transportation system.”

As for common criticisms, the cover letter to VDH acknowledged “negative environmental attributes” to build the \$181-million I-66. Those impacts could “be ameliorated or mitigated in the final design process.”

The EIS pointed out that the planned corridor was the “only feasible and prudent” location for I-66. Because VDH had acquired 98 percent of businesses to be relocated and 75 percent of homes, much of the community disruption had already occurred. If I-66 were not built, the EIS stated, the property acquired would revert under State law to the former property owners. WMATA would have to acquire the property at a higher price if it wanted to place Metro in the corridor.

As for the possibility of securing funds for transit under the withdrawal-substitution provision of the 1973 Act, the EIS warned that in the absence of precedents or clear guidance, if officials rejected I-66, they might not have the highway or the funds for transit.

Concerns about impacts on traffic in the District of Columbia were overblown; traffic in the I-66 corridor accounted for only 15 percent of vehicles entering the District, and that traffic was dispersed among the city’s roads.

Additional abatement features should be incorporated into the project to address concerns about noise. The consultants argued that the air quality issue was “impractical to address” in the absence of universally accepted standards for measuring potential air impacts.

The *Post* summarized:

The consultants said their recommendations would reduce traffic on city streets in all jurisdictions, decrease the rush-hour travel time between the Capital Beltway and the

Potomac River bridges from 30 to 15 minutes, improve their travel times significantly, and would offer better traffic service on the Beltway and Potomac River bridges than any other option.

Emilia Govan said that in producing the EIS, the consultants were “sacrificing professionalism for the dollar [by] supplying conclusions that its client wanted and paid for.” A spokesman for the consultants declined to comment on Mrs. Govan’s remarks, but added, “It is foolhardy for anyone to suggest that you can coerce a reputable engineering firm into recommending anything.”

VDH would now submit the final EIS to FHWA for a decision by Secretary Brinegar. [Shaffer, Ron, “Consultant Firm Backs I-66 Project,” *The Washington Post*, February 16, 1974; Crosby, Thomas, “Consultants Back I-66,” *The Washington Star-News*, February 15, 1974]

The EIS also addressed the Section 4(f) issue by questioning whether transit was a “feasible and prudent” alternative to I-66. However, the highway would require 55 acres of parkland. The Section 4(f) question was one of the “substantial legal, policy, and political problems involved in the decisionmaking process that are beyond our purview to assess or resolve.” The Section 4(f) issue was “a legal and administrative problem which must be solved by the Secretary of Transportation.”

Shortly after release of the EIS, the Department of the Interior addressed that point in a position paper endorsing the mass transit alternative to the highway because of the “severity of the environmental impacts” of I-66. Interior had no intention of releasing the Section 4(f) properties. The Capper-Cramton Act provided that the 36.6 acre Spout Run Parklands could be used for nonpark purposes only with the consent of the Arlington County Board, the State of Virginia, and NCPC. Two of those agencies would never consent.

Interior funds had been used to develop the Four Mile Run Bicycle Trail; about 1,500 feet of this trail crossed the I-66 right-of-way between Roosevelt Street and North Powhatan Street. The trail would have to be relocated for I-66, a shift Interior would not concur in without the improbable consent of the Arlington County Board. This requirement was not statutory, but was a policy.

Virginia, Interior pointed out, had “overlooked the fact that the road is aimed at some major historic properties on the other side of the river.” I-66 and I-266 would “severely impact” the historic, recreational, and aesthetic values of the Georgetown Historic District and the Chesapeake and Ohio Canal National Historical Park. More information would be needed about the impacts on these and other areas that may be eligible for inclusion in the National Register of Historic Places.

Bruce Blanchard, director of Interior’s Office of Environmental Project Review, put it this way:

What we’re saying to the highway department is that you guys have got some problems that have to be resolved, and until they are, the Interior Department cannot approve the

highway. [Shaffer, Ron, "Ecology, Procedural Snags Seen," *The Washington Post*, February 17, 1974]

More bad news for I-66 occurred on February 20 when TPB voted overwhelmingly for the Munsey resolution stating that I-66 was "not compatible with regional goals and objectives, including the redevelopment of mass transit and achievement of adequate air quality." Under a weighted voting system reflecting each jurisdiction's population, the final tally was 8.0 to 1.8. The District of Columbia's representatives voted for the resolution and the only Maryland jurisdiction to vote against it was from College Park. The Virginia vote was split, with the cities of Fairfax and Falls Church, Prince William County, and VDH voting for the highway. Arlington, Fairfax, and Loudoun Counties and the city of Alexandria approved the motion.

VDH Deputy Director John Harwood, a member of TPB, had tried to postpone the vote, saying it should not be held until the Virginia Highway Commission voted on I-66. Other members preferred to let the commission know TPB's views in advance of that vote.

Approval of the Munsey motion was an informal "expression of sentiment," not a final TPB action. That action would come if, as expected, the Virginia Highway Commission approved

I-66, Secretary Brinegar approved it, and VDH sought to include funds for the work in the area's 3C plan. Under metropolitan planning requirements, Federal-aid highway funds cannot be used on a project unless it is included in the plan developed under the 3C process by the MPO, in this case TPB. The vote on the motion was an indication of TPB's likely action on such a request.

As Madeleine Schaller, staff attorney for COG, put it, the vote erected a legal barrier that could be undone only if TPB members reversed their positions. David E. Wells, FHWA's Chief Counsel, told reporters that the effect of the vote was less clear than Schaller had suggested. True, Federal-aid highway funds may not be used on a project that is not in TPB's plan, but the complexities of the lawsuit that the current process grew out of made predictions difficult.

Following the vote, the audience of about 75, many wearing "Block I-66" buttons, applauded. Munsey said, "I am delighted." Emilia Govan called the vote "fantastic," and "the most significant thing that's happened so far." [Eisen, Jack, "COG Planners Oppose I-66 Leg," *The Washington Post*, February 21, 1974; Crosby, Thomas, "COG Board Opposes I-66," *The Washington Star-News*, February 20, 1974]

Despite these setbacks, the nine members of the Virginia Highway Commission unanimously approved I-66 without debate following a 45-minute presentation by VDH. Fugate told the commissioners:

If the interstate highway system had been dependent on the whims of local governments or changing political climates, then we wouldn't have the fine interstate system we have. I am convinced that completion of I-66 is an essential part of the interstate system and is necessary for a balanced transportation system in Northern Virginia.

The commission also endorsed the development of mass transit in northern Virginia, including extension of Metro to Dulles International Airport. With the commission's approval and

Governor Godwin's prior endorsement, the next steps were for the consultants to complete the final EIS and for Secretary Brinegar to decide the issue.

In a news conference, Fugate acknowledged many legal and environmental obstacles to be overcome before construction could begin. However, he said, "if the Secretary of Transportation approves the highway then we can sit down and tackle the problems. They can all be worked out." He also disagreed with EPA's opinion that mass transit would be a "feasible and prudent" alternative to I-66.

Ten members of the Virginia's congressional delegation had written to Secretary Brinegar in support of I-66. In addition, Chairman Randolph of the Committee on Public Works and Senator Baker, the ranking Republican on the committee, also wrote to the Secretary stressing that I-66 was an important link in the Interstate System and part of a balanced transportation system for the Washington area.

Both sides in the debate expected a court challenge. If Secretary Brinegar approved I-66, ACT would pursue its legal challenge. If he turned it down, VDH would go to court to challenge the basis for his decision. [Shaffer, Ron, "Va. Highway Unit Favors Extending I-66," *The Washington Post*, February 22, 1974; Crosby, Thomas, "I-66 Issue Heading for Court," *The Washington Star-News*, February 22, 1974]

On February 28, a *Post* editorial titled "The End of the Road" predicted that "the long drawn-out debate" over I-66 had finally come to an end with TPB's vote. "This, in our view, gives U.S. Transportation Secretary Claude S. Brinegar no other sensible choice, as we read the law, than to disapprove the 90 per cent expenditure for the freeway." Under Federal law mandating the 3C planning process, TPB's vote was "the final word":

Mr. Brinegar could, of course, yield to highway lobby pressure and either try to pressure the Transportation Planning Board to reverse itself or seek some interpretation of the complex highway planning procedures that would revive the hassle. But that would inevitably take the controversy into court and the courts have repeatedly ruled against highway builders

The editorial urged Secretary Brinegar "to write the final act speedily and unequivocally." Then, under the Federal-Aid Highway Act of 1973, Virginia and local officials could secure substitution funds for transit improvements. "All the governor has to do is fill out his application." ["The End of the Road," *The Washington Post*, February 28, 1974]

The Unusually Permanent End of the Road

Mayor Washington announced on May 12 that the Three Sisters Bridge, long considered dead, actually was dead. He said the U.S. Department of Transportation had informed the city it could employ the withdrawal substitution provision of the Federal-Aid Highway Act of 1973 to remove Interstate designation from the bridge and the K Street Tunnel in exchange for comparable funding for Metro (\$344 million, according to Mayor Washington) and city street and bridge improvements (\$49 million). As the *Post* put it, the bridge "was killed for the third or fourth

time yesterday. This time it looks unusually permanent.” [Feaver, Douglas B., “Three Sisters Highway Project is Killed – Again,” *The Washington Post*, May 13, 1974]

By then, WMATA staff had informed the directors that the cost of Metro had increased to at least \$3.5 billion, largely because of inflation and delays. Noting Chairman Natcher’s repeated predictions about cost, Jack Eisen wrote:

Yesterday, to the obvious discomfort of Graham, D.C. Metro director Henry S. Robinson Jr. speculated that the cost might reach a level mentioned by Natcher.

Graham later grudgingly acknowledged that total might be reached, but insisted that the main reason would be inflation nobody could have foreseen.

Forecasts had been based on an inflation rate of 7 percent that was running about 10 percent in the wake of the energy crisis:

Joseph Elward, Metro’s director of program control, told the board that inflation, storms, strikes, governmental red tape and indecision were to blame for rising costs.

The sharpest increases came when the Nixon administration relaxed economic controls last year. With all controls now off, Elward said it is anybody’s guess what will happen.

The only optimistic outcome from the report, board members hoped, was that “candor should help win public support.” [Eisen, Jack, “Metro Cost Estimate Rises to \$3.5 Billion or Higher,” *The Washington Post*, May 3, 1974]

By August, the estimated cost had increased to nearly \$4 billion. Elward attributed the increase to the same factors as cited in May, in addition to the unanticipated cost of installing provisions for the handicapped in Metro cars and stations:

But the bulk of the increase, Elward said, is because of Metro construction projects that are still either in a general planning stage or a preliminary planning stage. The costs for these items won’t be known, he said, until a design plan for them is completed.

WMATA board’s Fisher was concerned about public reaction. “We’ve got to let the public know these increases are due to rising costs of labor and materials – things which we have no control over. Otherwise, they’ll think the rising costs are due to our mismanagement.” The board adopted his recommendation that WMATA issue a report to the public on the reasons for the increases, but General Graham said the report would take 3 months to compile. [Daniels, Lee, “Metro Cost Jumps to \$4 Billion,” *The Washington Post*, August 9, 1974]

In July, Virginia highway officials forwarded the final EIS adopting the multimodal option to FHWA’s Division Office in Richmond. The proposed plan included eight lanes and a double-decked segment 10 stories high and 3,500-feet long between Spout Run Parkway and adjoining apartment buildings. Metro would be built in the median.

A. D. Harris, a Virginia highway department engineer, acknowledged that the double-decked segment was “a monstrosity,” but said the design was necessary because Arlington County opposed the use of parkland for I-66. “We hope Arlington County realizes what they’re doing to us by not letting us use this little parkland. We hope we can sit down with them and have some kind of agreement that is pleasing to them instead of the monstrosity.”

County board member Munsey said accommodation was not likely:

We won’t let them use the parklands because we’re trying to block the highway altogether. But the real problem is that the Virginia Highway Department is trying to ram the road down our throats whether we want it or not.

He agreed, however, with Harris’s description of the segment. “It’s absurd,” Munsey said, “Can you imagine glancing out of the third story of your apartment and seeing a Mack truck roll by?”

Harris acknowledged that the segment would not meet Federal noise requirements:

There’s no way we can abate the noise level unless we put an ugly wall around it and the thing is going to be ugly enough already. [Shaffer, Ron, “Way Cleared for Decision on Rte. 66,” *The Washington Post*, July 12, 1974; Shaffer, Ron, “I-66 Plan: 10-Story Highway,” *The Washington Post*, August 22, 1974]

On July 29, 1974, Governor Godwin and other Virginia officials met with Secretary Brinegar in Senator Scott’s office to support I-66. Representative Parris told reporters that everyone “put in our 2 cents worth.” He added, “If we don’t continue to let our concerns be known, he can only assume that nobody’s interested.”

Governor Godwin said after the meeting:

The project has already been delayed for two years while the state highway department conducted a complete restudy in accordance with the ex post facto requirements of federal law. Enough studying has been done . . . project is long overdue. I hope we can get on with it.

He noted that preliminary stages had cost \$30 million and that “95 per cent of the dwelling units and 98 per cent of the businesses in the right-of-way have been acquired”:

It seems to me this matter should now be decided in accordance with the democratic process that favors the wishes of the majority over those of a few, who however sincerely motivated, now stand in the way of progress.

He thought the meeting went very well. “Brinegar was most polite and receptive and indicated it would be as much as two months before there’s a final decision.”

FHWA, which was still reviewing the EIS, had returned the document to VDH for expansion of the section on citizen comments. Secretary Brinegar’s spokesman Robert Beasley told reporters:

Either way we decide we're probably going to get sued. This was probably a perfect loophole for the environmentalists to sue us because the environmental statement wouldn't be complete without more on those comments.

Fugate assured reporters that VDH would provide the requested information and return the EIS in about a week. "I'm very optimistic the secretary will approve the highway. I don't see how he can do otherwise." [Omang, Joanne, "I-66 Ruling Expected In 60 Days," *The Washington Post*, July 30, 1974]

Opponents met with Secretary Brinegar on September 13. They excluded the press and outsiders from the meeting because, as Munsey explained, "It was in the interests of a frank and meaningful discussion to meet privately."

After the 1-hour meeting, Alexandria City Councilman Melvin Bergheim said, "I got the strong impression he had not committed himself at all." Along the same lines, Munsey reported that, "He said he had not previously had any material before him on I-66."

The *Post* summarized:

The group . . . told Brinegar they opposed the highway because it would cost more, lead to more traffic congestion, and have a greater adverse effect on the environment than a mass transit option favored by the group for the I-66 corridor.

"We made it clear that the transportation philosophy in Northern Virginia is toward mass transit solutions rather than more highways," said Rufus Phillips, a Fairfax County supervisor and member of the Northern Virginia Transportation Commission.

He added that the group emphasized that VDH's latest estimate of \$219 million "grossly understates what the real cost will be," when inflation was taken into account. [Shaffer, Ron, "I-66 Construction Held Not Imminent," *The Washington Post*, September 14, 1974]

In September, FHWA returned the plan to I-66, objecting particularly to the 10-story high, double-decked section. In a letter to Fugate, Administrator Tiemann called for measures to "further ameliorate the impact of the project on Arlington and Fairfax Counties." In addition to objections to the double-decked section, Tiemann asked Virginia to reduce the number of lanes from eight to six and prohibit truck traffic on the I-66 extension to the Potomac River, where trucks were prohibited from the Theodore Roosevelt Bridge. The changes, Tiemann wrote to Fugate, were needed to achieve "greater acceptance on the part of the communities and the people who will be directly affected."

VDH officials were optimistic that they could address FHWA's concerns. Deputy Commissioner Harwood said the letter left VDH with the optimistic view that Secretary Brinegar would approve the extension after the changes were made. "I don't see how the Secretary can do anything but approve it."

Administrator Tiemann's letter did not encourage opponents. Munsey called FHWA's letter "a last desperate effort of the proponents of the highway oriented transportation solutions to save a

transportation policy that has been exposed as fallacious.” James Govan said, the suggested revision “in no way satisfies us,” adding, “I’m not celebrating at all.” He suggested that Administrator Tiemann was “reacting to pressure” and characterized the letter as a “desperate attempt to save the road.”

In an interview, Tiemann said he hoped the changes would win over opponents because I-66 would not be “just a slab of concrete but be like the George Washington Parkway.” The changes would not only reduce the number of lanes but reduce air and noise pollution levels, while VDH could add “grass shoulders, shrubs, flowers for beautification purposes.

Tiemann, who lived at 8440 Brook Road in McLean, Virginia, said this was the first time in his 16 months as Administrator that he had turned down a highway proposal. VDH had made a “conscientious and painstaking effort” to mitigate or eliminate environmental impacts but “additional effort” was needed. He anticipated that VDH would need about 6 months to revise the design.

While the reduction to six lanes would reduce some impacts, it could cause other problems. The plan to build Metro in the median would have to be reviewed to determine if that were still possible. Further, eliminating the double-deck section would mean that retaining walls would have to be built next to Spout Run Park. [Shaffer, Ron, “U.S. Urges 6-Lane I-66 in Arlington,” *The Washington Post*, September 20, 1974; Crosby, Thomas, “I-66 Seen O.K. With Revisions,” *The Washington Star-News*, September 20, 1974]

Metro vs. Metrobus

After WMATA took over the area’s bus systems to create Metrobus, the combination was uncomfortable, with problems left over from D.C. Transit System’s management of the buses. On June 28, 1973, the U.S. Court of Appeals ruled that the Washington Metropolitan Area Transit Commission, which had jurisdiction over bus fares until WMATA initiated Metrobus, had improperly approved fare increases to ensure D.C. Transit System could operate at a profit. Noting that the company owned several properties such as bus barns and office buildings, the court concluded:

We cannot avoid concluding that, performing its burdensome functions, the agency has throughout acted on the erroneous postulate that it was compelled – no matter to what level it must raise the fares, how substantial the fall in ridership, and how financially sick Transit might be – to set the fare so that Transit could always earn a profit,

The company had a right to earn a fair return, but “it was not for the commission to insure a return.”

Chalk had taken some of the properties acquired with the company out of transit service:

Nothing . . . suggests that Congress intended that Transit’s investors would automatically pocket, at the expense of the fare-payers, the expectable increment in value [of those properties]

We cannot believe that Congress contemplated such an outright gift to Transit's investors, who would not have done anything to earn or deserve it

The ruling also pointed out that while WMATA had acquired the company's assets, "its corporate existence outlives that event, and so also do its unassumed liabilities." Arguing that the commission "was not a substitute for competition," the ruling called on the commission to determine a formula to determine how much funding the company collected improperly and how restitution should be made.

WMATA, which was solely responsible for setting fares, had agreed to freeze the basic fare at 40 cents; the remnant of D.C. Transit System was responsible for making up the difference in past fare increases beyond 25 cents. Nevertheless, WMATA, like public transit authorities around the country, was searching for ways to subsidize losses. Chairman Natcher had made clear that he opposed spending District funds for Metrobus subsidies. At the same time, UMTA Administrator Herringer said Chairman Natcher's opposition would not be permitted to block Metro construction. Herringer said UMTA would not authorize further government-backed construction bonds unless the District provided a good faith assurance that it would do everything it could to obtain subsidy funds.

Chalk appealed the decision to the Supreme Court, which rejected the appeal on February 19, 1974. [Robinson, Timothy, "Old D.C. Transit Told To Return Fare Boost," *The Washington Post and Times Herald*, June 29, 1973; Eisen, Jack, "25-Cent Metrobus Fare Next Target for Hahn," *The Washington Post and Times Herald*, July 3, 1973; "Decision Upheld On Chalk's Profits," *The Washington Post*, February 20, 1974]

The problems left over from D.C. Transit System compounded, as Professor Schrag described. Even as Chalk was in the final stages of transferring his company to WMATA, he averted a strike of his alienated employees by guaranteeing cost-of-living adjustments every 3 months:

With labor accounting for close to 85 percent of the bus system's cost (typical for the industry), and with inflation ever increasing, this concession meant that operating expenses would automatically increase for years. Moreover, because both D.C. Transit managers and workers made the move to WMATA, so did their mutual dislike, which grew even worse as former D.C. Transit employees saw buses playing second fiddle in a subway agency. Despite the raises, in May 1974 bus drivers struck. Old WMATA hands were no happier: the Authority's payroll had grown from 300 to 4,000 employees overnight. No longer could Graham expect to know each employee's name; no longer was everyone focused on the single goal of building a rail system. [Schrag, page 178]

Shortly after that court ruling, the oil boycott sent the price of fuel soaring. In January 1974, at the peak of the oil shocks, Jack Eisen reported:

A record-breaking cost-of-living wage increase for bus employees and a sharp ride in the price of diesel fuel yesterday added another \$2 million a year to the projected deficits of the Metrobus system

For the entire fiscal year, starting next July, the \$31.8 million deficit that was forecast just two weeks ago will reach at least \$33.8 million

WMATA board member Joseph Alexander told his board colleagues, “I know this is a bad thing to say We are faced with a tremendous increase of costs and perhaps we ought to do something about it.” Board chairman Jerry Moore and Montgomery County’s Idamae Garrott, who favored keeping the fare at 40 cents, or lowering it, halted discussion of a fare increase. [Eisen, Jack, “Metrobus Fuel, Pay Costs Soar,” *The Washington Post*, January 4, 1974]

Nevertheless, with WMATA’s takeover, ridership of Metrobus stabilized while route coherence was improved in ways that were not possible when buses were operated by four independent companies. These gains could not resolve the inherent problems, as Professor Schrag explained:

But with fares frozen and wages automatically rising, by November 1974 the fare box was paying only half of bus expenses. Soon, a board committee reported, “local government officials, private citizens of the area, editorial writers and, on many occasions, Metro Board Members” began speaking of “mushrooming, runaway, spiraling, out-of-control” deficits.

WMATA recognized that it was providing a public service, but costs had to be met:

The bus takeover, however necessary, was a disaster for WMATA. By showing just how hard it was to raise fares, the takeover threatened the financing of the rail system – by July 1973 the Nixon administration warned that its backing of rail bonds would depend on the jurisdictions’ willingness to subsidize bus operations. Moreover, the bus takeover, and the resulting deficits, strained regional cohesion. Thinking of their constituents, many of them poor and carless, District of Columbia board members generally supported high subsidies and lower fares Suburban members, particularly those representing Virginia, knew that their voters would swallow a fare increase better than a tax increase, so they fought to keep deficits low by raising fares.

He added that, “the bus takeover directly threatened WMATA’s image as the public champion”:

When the Authority first considered a takeover, in 1970, Pfanstiehl warned that it “would be about the worst community relations calamity possible.” He was right. In buying Chalk’s buses and hiring his managers and employees, WMATA also acquired much of his unpopularity. The worst insult came from the head of a citizens’ group organized to fight air pollution, who disparaged the WMATA chairman as “a public O. Roy Chalk.” For him and others, the takeover had raised expectations beyond what could be met. [Schrag, pages 178-179]

Through mid-1974, Chalk and WMATA were still battling in court about the price WMATA would pay for D.C. Transit System. WMATA had deposited its estimate of \$38.2 million with the court hearing the condemnation case, but Chalk had asked for \$63.6 million. On July 26, 1974, U.S. District Judge Gerhard A. Gesell approved Chalk’s and WMATA’s split-the-difference compromise price of \$44.9 million.

Jack Eisen explained that WMATA would have to pay only an additional \$1.3 million:

The difference is \$5.4 million that D.C. Transit owes Metro for such items as pension funds, the redemption of fare tokens and a share of revenues from advertising inside the buses that formerly was sold by another firm controlled by Chalk. [Eisen, Jack, “\$44.9 Million Price Set for Transit Firm,” *The Washington Post*, July 27, 1974]

As estimated Metrobus deficits mounted along with the cost of Metro construction, WMATA struggled to find a new formula for sharing amid jurisdictions whose board members felt their residents were being unfairly overcharged. Professor Schrag wrote:

Nasty surprises, inflation, and the bus takeover required a rethinking of Metro finances. When, in the fall of 1974, that rethinking took place, the accountants reported some very bad news.

A record cost-of-living wage increase, effective October 1, 1974, had shattered deficit projections. For FY 1975, the Metrobus deficit now was expected to be \$40 million, with a deficit of \$56.8 million projected for FY 1976:

In January 1970 the WMATA jurisdictions signed a Capital Contributions Agreement that, among other things, required the Authority to update its financial estimate within five years. So, in November 1974, the Authority produced a “Net Income Analysis,” an official estimate of total capital cost and likely operating costs and revenues. The staff replaced the capital cost estimate of \$2.98 billion with a new figure of \$4.454 billion, attributing almost all the increase to inflation. Moreover, it predicted that fare-box revenues would not cover operating expenses, much less pay off bonds.

The Office of Management and Budget (OMB, successor to the Bureau of the Budget in 1970) asked WMATA to consider shorter rail systems to reduce the cost:

WMATA staffers sketched out various shorter systems, including one limited to the forty-seven miles then under construction. Even with the \$3 billion already promised by the federal government and local jurisdictions, WMATA could build at most seventy-six miles. Such a system would eliminate the Mid-City trunk and Anacostia branch, along with extensions past Silver Spring [Maryland] and Huntington [Virginia]. This plan, the staff argued, would eliminate service to the region’s poorest neighborhoods, force all sorts of operational improvisations to compensate for missing yards, and, in the long run, prove more expensive, should the ninety-eight-mile system eventually be completed after several years of inflation. Perhaps most seriously, no suburban jurisdiction would pay its share unless it got its promised lines. As OMB later noted, “local financing is a house of cards, each jurisdiction expecting METRO to be constructed as advertised in the 1960’s.”

Even a hint of truncation might blow the house down. [Schrag, pages 179-180]

Chairman Natcher was one of the least surprised people in Washington. General Graham and other WMATA had repeatedly assured him that their estimate of just under \$3 billion was as accurate as they could make it. On November 25, 1974, he released to reporters a letter that he

had sent to General Graham. After reviewing past assurances about the cost, Chairman Natcher wrote of the new estimate:

Gen. Graham . . . [\$4.5 billion] will not complete the 98-mile rapid rail transit system, and again I would like to urge that you and members of the authority take another look at the cost of this system

Simply tell the people who will have to pay the taxes to carry this burden that the system will ultimately cost of \$5 billion and unless there is some change the figure could go as high as \$6 billion.

Responding to inquiries from reporters, General Graham said he had not seen the letter, but thought that Chairman Natcher's estimate was premature:

In hindsight he was right, because inflation occurred at a greater rate than anybody could have imagined It is one hell of a time to try to be setting the cost of a project as big as this one. [Eisen, Jack, "Natcher Puts Metro Cost At \$6 billion," *The Washington Post*, November 26, 1974]

WMATA "faced the music" in December 1974 by asking OMB to allow an additional \$1.26 billion to cover the new estimate.

The New President

Following the resignation of President Nixon, Vice President Gerald R. Ford became President on August 9, 1974. In reaching out to him, WMATA knew that he "had less enthusiasm for Metro than did his three immediate predecessors, as Professor Schrag explained;

As House Minority Leader he had been one of Natcher's greatest allies in 1971, and some, including Graham, believed he still held a grudge. As a congressman from auto-building Michigan, he had generally been cool to federal support for transit. In 1973 his biggest break with the Nixon administration had been to oppose legislation allowing cities to transfer some Interstate highway funds to mass transit. He later softened on that issue, but within weeks of ascending to the presidency, he announced his dismay that federal policies had skewed local transit planning toward subway construction. Ford also lacked his predecessors' fondness for the District of Columbia. Although he had spent a quarter-century in Congress, since 1955 he had lived across the river in Alexandria rather than in the District itself.

(Until September 1975, Vice Presidents had lived in their private residence. In 1951, Representative Ford and his family moved to 1521 Mount Eagle Place in the Park Fairfax apartment complex in Alexandria, the same rental community where the Nixons had once lived. They moved to 514 Crown View Drive in the Clover neighborhood of Alexandria in 1955. The home is near King Street (State Route 7), a main commuter road between U.S. 1 (Jefferson Davis Highway) on the east and Henry G. Shirley Highway, soon to become I-95, then I-395). The Fords had built the four-bedroom, two-bath colonial house on a quarter-acre lot. When Representative Ford became Vice President on December 6, 1973, following the resignation of

Vice President Agnew, the Secret Service improved the home's security, installing bulletproof glass and adding steel rods under the driveway to support the Vice President's armored limousine, among other changes. From this home, the Secret Service escorted him along the Shirley Highway to the White House for his oath of office as President of the United States.)

In addition to White House skepticism, WMATA also faced revolts in the suburban jurisdictions:

Suburban officials began worrying that they would never get the extensions for which they had already paid. In Maryland, transportation secretary Harry Hughes threatened to cut off further contributions until more ground was broken in his state, and Montgomery board member Idamae Garrott proposed that some lines be built from the periphery toward the center to guarantee their completion. Prince George's County worried it would never see Metro. Throughout the region, county and city governments began tightening the leashes on their WMATA representative, making sure they cleared their votes at the county seat before casting them at WMATA headquarters. As one suburban councilman observed, the jurisdictions dismantled as an independent, decision-making body and turned it into a United Nations. [Schrag, page 180]

A New Era in the District

On December 26, 1974, Mayor Washington announced that Thomas F. Airis, 68 years old, would retire after 45 years of government service. He had directed the District highway agency since 1964, a holdover from the days when the District was governed by three presidentially appointed commissioners. He was reluctant to leave, and had resisted the temptation for 3 years, but with retirement incentives increasing, "I just could not afford not to take advantage of it any more." His annuity would be 80 percent of his \$36,000-a-year salary, plus a boost in cost of living adjustments. The first year of his pension also would be tax free. If he did not retire, he would lose the cost-of-living boost in his pension under a government incentive program to encourage retirements.

In an article about the retirement, the *Post* wrote as if the District freeway battles were over:

Airis is best remembered for supporting the construction of controversial freeways in the city and for advocating the building of the Three Sisters Bridge between the District and Virginia.

The question of how many freeways to build within the city reached its height in the early 1970s when Rep. William H. Natcher (D-Ky.), head of the House District Appropriations Subcommittee, threatened to cut off money for the construction of the Metro subway system until the freeway network was completed.

At the time, citizens were regularly demonstrating against freeway construction, contending the roads would add to pollution and disrupt neighborhoods.

More than one-half of the system was eventually built, and yesterday Airis pointed to this as one of the major accomplishments of his administration.

The *Star* described Airis as “the bane of freeway fighters and a boon to area commuters, having built major portions of more than half a dozen freeways in the city”:

While director of the D.C. Department of Highways and Traffic, Airis saw parts of his plan for an inner ring of highways chopped up by freeway foes. In addition, Airis lost a bitter and prolonged battle over construction of the Three Sisters Bridge between Georgetown and Northern Virginia. The bridge was supposed to link the city with Interstate Route 66, which remains under heavy fire from highway opponents there.

Despite the Three Sisters loss and the scuttling of plans for the South Leg – a part of the inner ring to run in a proposed tunnel in front of the Lincoln Memorial – Airis was successful in getting several highways built.

He said he takes pride in having helped with construction of the Southwest-Southeast Freeway, the new Theodore Roosevelt Bridge, the Potomac River Freeway, two new 14th Street bridges, a major portion of the Anacostia Freeway, two new 11th Street bridges and a 1.4-mile segment of the Center Leg in front of the U.S. Capitol

In addition to the freeways he helped build, Airis [was credited with installing] new sodium vapor lights, and has developed better paving techniques for highways.

In discussing his accomplishments, Airis added developing the concept of air-rights construction that including the HEW building over the Center Leg and part of L’Enfant Plaza over the 9th Street expressway. He added:

The city’s streets are not yet in the condition we hope to get them, with a lot of resurfacing and striping still to be done. If funding continues, the streets should be in good condition by the Bicentennial.

Despite his support for freeway construction in the District, Airis “rides the express bus almost every day between his home in Potomac, Md., and his downtown office.” This was not a contradiction, as he told reporters covering his announcement. “I’ve advocated mass transit and pushed for it.”

Mayor Washington took the opportunity of Airis’s retirement to announce that he would establish a Department of Transportation that would oversee the Department of Highways and Traffic or possibly replace it. Several officials were vying to head the new agency, but “sources” indicated that Douglas Schneider, Mayor Washington’s special advisor on transportation, was the likely choice. [Bowman, LaBarbara, “City Highway Chief Planning to Retire,” *The Washington Post*, December 27, 1974; “Airis Retires As Chief of D.C. Traffic,” *The Washington Star-News*, December 26, 1974; Crosby, Thomas, “Airis Retires as D.C. Traffic Head,” *The Washington Star-News*, December 27, 1974]

In the meantime, Mayor Washington appointed Deputy Director Bernard J. O’Donnell acting director.

If the articles gave the impression that the freeway battles were over, that the critics had won, and that the chief freeway advocate was now gone from the District government, that was a good summary of the situation. Details remained to be worked out, but the battles over the District's freeway network were largely a thing of the past.

Home Rule At Last

The change went far beyond Airis's departure because in January 1975, a new District government, the first elected by the city's residents, took office under the District of Columbia Home Rule Act, which President Nixon had approved on December 24, 1973. He signed the bill without ceremony, but issued a statement in which he referred to himself as "a longtime supporter of self-government for the District of Columbia":

I first voted for home rule as a Member of the House of Representatives in 1948, and I have endorsed the enactment of home rule legislation during both my terms as President.

His political philosophy was "to place responsibility for local functions under local control and to provide local governments with the authority and resources they need to serve their communities effectively." This new law was "a significant step in achieving this goal in the city of Washington":

It will give the people of the District of Columbia the right to elect their own city officials and to govern themselves in local affairs as the Nation approaches the 200th anniversary of its founding. It is particularly appropriate to assure those persons who live in our Capital City rights and privileges which have long been enjoyed by most of their countrymen.

The new law established the machinery for election of local officials, but "also broadens and strengthens the structure of the city government to enable it to deal more effectively with its responsibilities":

For example, this legislation transfers to the city government control over certain quasi-Federal agencies: the Redevelopment Land Agency, the District of Columbia Manpower Administration, the National Capital Housing Authority, and the local planning functions of the National Capital Planning Commission. These steps are in accord with the recommendations of the Commission on the Organization of the Government of the District of Columbia, known as the Nelsen Commission. By making such transfers, the bill will end the fragmentation of authority over the city's physical planning, housing, community development, and manpower programs, steps which are essential to the development of the city's neighborhoods, to the health of its economy, to the effective coordination of its public services, and to the overall success of self-government.

Home rule also provided a "broad revenue raising authority for the city, enabling the people through their elected representatives to determine how to pay for the services they require." This

authority was not total because the law provided for “final Congressional review of the District’s appropriation process is retained under this measure.”

At the same time, the law covered the Federal payment:

The bill . . . provides for an increasing multiyear authorization for Federal payments to the city, giving greater predictability to the Federal payment than has previously existed. As the principal employer in Washington, D.C., the Federal Government recognizes its responsibility to pay its fair share of the operations of the District government.

The measure I sign today also empowers the city to issue its own obligations, while providing financially sound limitations to its borrowing authority comparable to those which exist in most other municipalities in the United States.

President Nixon’s statement concluded:

The District of Columbia is a unique combination of Federal and local concerns, each of which must be satisfied. All in all, I believe this legislation skillfully balances the local interest and the national interest in the way the District of Columbia governed. I am pleased that the bill has enjoyed bipartisan support throughout the Congressional deliberations, and I am proud to join the Congress in pledging the full support of my Administration to make self-government a success in the District of Columbia.

The success of the home rule legislation was directly related to the departure of its chief opponent – dating to the Truman Presidency, Chairman McMillan of the House Committee on the District of Columbia. Professor Lewis explained:

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; indeed, only one, Lyndon Johnson’s, got to the floor of the House for a vote, where it was defeated. “Washington is a federal city,” McMillan declared in one of his committee reports, “established exclusively for the benefit of, and as a home for, the federal government.” Most of those who “swarmed here” were “intruders” and “not vital” to its operation.

Republicans and liberals had begun to combat Chairman McMillan by 1970, gaining some victories in weakening his total control, including approval for a nonvoting District delegate.

Back home, in South Carolina’s Sixth Congressional District, Chairman McMillan had an assured seat, having not faced a serious opponent in years:

But in the summer of 1970, when a young black physician mounted a challenge, Washington’s civic activists sent their money south along with Walter Fauntroy, the District’s newly elected nonvoting representative, and a chartered bus of civil rights and home-rule supporters to get out the black vote. The strategy backfired when McMillan went on TV for the first time in his life and said, “This is a South Carolina election and

we don't need any advice from people in Washington." Two years later, the seventy-six-year-old faced a younger, better organized, and white primary opponent. The activists stayed home but gave money to fund the defeat of the longest-serving representative in South Carolina's history.

State Representative John J. Jenrette of Myrtle Beach won the primary, but lost the general election to Edward Lunn Young, a former Democrat, now a Republican who had served in the State legislature:

Ungrateful to the end, McMillan complained that he lost because "the colored people were brought out." When they heard the news, Walter Fauntroy and the residents of Seventh Street celebrated with a parade.

At the end of his last term, John McMillan wrote his final report as chair of the District of Columbia Committee. It included a delusional epitaph of his reign. "He remains the best and most effective friend the Nation's Capital has ever had." [Lewis, pages 419-420]

Representative Charles C. Diggs, Jr. (D-Mi.), became chairman in 1973, taking the oath of office on January 27 to become the 52nd chairman of the House District Committee. Chairman Diggs was an African-American from Detroit where his family operated the largest black funeral home, known as the House of Diggs. Journalist David Maraniss, in his book about Detroit in the peak year of 1963, described the family:

The Diggs family had been in the undertaker business for more than four decades. Charles Diggs Sr. had started it all in a first-floor funeral parlor on Russell Street near the local headquarters of the United Negro Improvement Association, founded by Marcus Garvey, the pan-African redeemer whose teachings the mortician once followed. The elder Diggs eventually expanded his business into a vast enterprise that included burial insurance and diversified the family's interests into politics, gaining election to the Michigan State Senate and paving the way for Junior's rise to Congress, as well as setting a father-son pattern of stellar civil rights activism intermingled with problematic political ethics. The Diggs name was among the most prominent in black Detroit.

In 1963, the family "accentuated the year's boom with the grand opening of its nouveau classic Boulevard Chapel. It was "conveniently located on Detroit's growing east side":

More than seven thousand visitors toured the new funeral chapel one Sunday afternoon, lured by door prizes (silver tea set, AM-FM radios, and ladies' wristwatches) and a live broadcast of the House of Diggs Radio Hour featuring the congressman and the Voices of Tabernacle choir. Myrtle Gaskill, a face in the crowd as the women's editor of the *Michigan Chronicle*, reported that she and other visitors were "awed by [the chapel's] magnificence," with its accents of Moorish and Mediterranean detail, its oriental décor, and its lush carpet of lavender, turquoise, aqua, lilac, emerald, and absinthe green. [Maraniss, David, *Once in a Great City*, Simon and Schuster, 2015, pages 96-97]

In 1954, Chairman Diggs, a licensed mortician, had been the first African-American elected to Congress from Michigan – increasing the number of African-Americans in the House from two to three. He supported efforts under the leadership of The Reverend Martin Luther King, Jr., including the Montgomery Bus Boycott, and was one of the founders in 1969 of the Congressional Black Caucus and its first leader.

After becoming chairman, he revamped the House District Committee in ways that favored home rule, including subcommittee chairmen who had not been on the committee under Chairman McMillan, with one exception (Representative W. S. Stuckey (D-Ca.)). He fired all but two of the committee's Democratic civilian employees from the McMillan era.

As early as January 16, 1973, Chairman Brock Adams of the D.C. Operations Subcommittee, announced that the committee would hold hearings on home rule. The goal was a home rule bill that would give the city self-government, and that could pass Congress. Chairman Adams said, "We're going to try to produce a damn good bill." He did not expect immediate action, but said, "we're all aiming to get this job done as soon as possible. We have plenty of commitment to get this job done . . . deep commitment."

Chairman Diggs confirmed the difficulties ahead:

I'm just being very practical about chances of passage. If we could report out a bill tomorrow, I say flatly the self-determination measure would be defeated on the floor 2 to 1.

[Hamilton, Martha M., "Diggs Revamps D.C. Committee," *The Washington Post and Times Herald*, January 16, 1973; Hamilton, Martha M., "House D.C. Unit to Push For Early Home Rule Bill," *The Washington Post and Times Herald*, January 17, 1973; Hamilton, Martha M., "Diggs Fires Aides Of D.C. Committee," *The Washington Post and Times Herald*, January 20, 1972

By May, he could predict that the city would have home rule in time for the Bicentennial celebration in 1976. He said, "the people of the District will join that celebration not as members of the 'last colony' but having at least become full citizens with all the rights and responsibilities that home rule will bring":

For 171 years, Washingtonians have been bartered and manipulated. For 171 years, Washingtonians have been tokenized and homogenized.

Now come the changing of the guard, when Washingtonians will be the masters of their own fate. [Hamilton, Martha M., "Rep. Diggs Predicts Home Rule by 1976," *The Washington Post and Times Herald*, May 4, 1973]

Under the resulting law that President Nixon signed on December 24, the city's voters would decide on a May 7 charter referendum that gave them the choice of retaining the current presidentially appointed government or an elected mayor and 13-member city council. If the votes chose election of the mayor and city council, the city would hold primary elections on September 10, 1974, and general elections on November 5. The new government was to take office on January 2, 1975.

The provision that most troubled local leaders was that the bill gave Congress veto authority over the city's laws. With a vote of the House and Senate, Congress could veto local action. In addition, city authorizations were still subject to congressional action on appropriations.

Mayor Washington, who had taken the oath of office for his third term on February 22, 1973, said, "It is not the whole loaf but we got a large piece of self-determination. It is worthy of celebration after 100 years."

1974 Transitions

President Nixon had won reelection in 1972 by a landslide, but in 1974, with Republicans weighed down by investigations into assorted Watergate-related controversies, voters nationwide turned the off-year elections into a landslide for Democrats.

In the Washington area, the elections changed the landscape for transportation choices. The *Star* began its article:

At the end of a lackluster race that produced as many surprises as a Brigitte Bardot-Twiggy swimsuit contest, District voters all but ignored political neophytes and chose experienced candidates to run the city's home rule government.

Mayor Washington won his election, as did Delegate Fauntroy. Sterling Tucker won election as chairman of the city council.

The home rule legislation had provided that no political party could nominate more than two candidates for the four at-large seats on the city council – a provision to ensure Democrats would not hold all the seats in the overwhelmingly Democratic city. As expected, Democrats won all the seats they were eligible to compete for. The Reverend Jerry Moore was the only Republican to win a seat. Julius Hobson, the Statehood Party candidate, won the other non-Democratic seat. The two Democratic at-large seats went to Marion Barry and The Reverend Douglas Moore. The biggest upset came when Democrat William Spaulding defeated incumbent Dr. Henry Robinson, a Republican.

In Virginia, the Democratic tide defeated Representative Broyhill after 22 years in the House of Representatives. Arlington Board Member Joseph L. Fisher won the 10th congressional district. The *Star* listed some of Representative Broyhill's accomplishments:

Broyhill's bills – or his legislative efforts – produced the latest three bridges spanning the Potomac River between Virginia and the District. His efforts also resulted in the Dulles Interceptor Sewer, the area-wide planning agency that drew up the blueprints for the Metro subway system, a new veterans hospital here, federal and district government pay raises and a panoply of fringe benefits for government workers, plus the limited Home Rule bill six years ago that gave the District its first elected school board in 94 years.

District officials were not sorry to see Representative Broyhill's defeat. The *Star* reported this exchange:

“Ahh, Joel is leaving us,” said Bishop Smallwood E. Williams, the powerful pastor of Bible Way Church.

“I guess you will pray for Joel,” said Mayor Walter E. Washington.

“I’ll pray that he never comes back,” the bishop said.

An impromptu farewell celebration was being held in the District for Virginia Republican Joel T. Broyhill last night.

“It’s fantastic,” said elections board official Walter Pozen, learning of Broyhill’s defeat by Democrat Joseph L. Fisher.

“Hallelujah,” said mayoral aide Kathy Ross.

“Wonderful,” said Brent Oldham, another top mayoral aide, who added, “I never could stomach that guy.”

In Virginia’s 8th district, Herbert E. Harris II, a Fairfax County Supervisor, defeated one-term Republican Representative Parris. President Ford, whose private home was in Parris’ district, had made his first appearance for his former Representative at a fund-raiser, to no avail.

In Maryland, what the *Star* called the “National GOP Bloodbath” did not affect the congressional delegation. Senator Mathias, a Republican, won reelection, defeating Democrat Barbara A. Mikulski, a social worker and member of the Baltimore City Council, who had risen to prominence as one of the anti-highway crusaders in Baltimore.

In House races, Maryland reelected three Republican incumbents: Gilbert Gude, Marjorie Holt, and Robert E. Baumann. In Prince George’s County, Democrat Gladys Noon Spellman won the 5th district seat. Montgomery County reelected Republican James P. Gleason as county executive, defeating Idamae Garrott. [From articles in the November 6 issue of *The Washington Star-News*.]

One result of the elections was that 6 members of the 12-member WMATA board of directors would be replaced, as Jack Eisen described:

Both voting directors from Virginia, Herbert E. Harris of Fairfax County and Joseph L. Fisher of Arlington, were elected to Congress. William W. Gullett lost his Metro directorship from Maryland by failing to be re-elected Prince George’s County executive. D.C. City Council Chairman John A. Nevius is retiring.

The leadership changes were important because WMATA faced several challenges:

In the coming months, the new board must grapple with financing the completion of the Metrorail system (as the subway is called) in the face of inflationary increases that have pushed the cost from under \$3 billion to at least \$4 billion. It also must deal with

growing bus deficits. [Eisen, Jack, "Half of Metro Board Will Be Replaced," *The Washington Post*, November 7, 1974]

As 1974 ended, officials were debating how to address the new cost estimate for the Metro rapid rail system and the Metrobus operating deficits. About 40 miles of track in the District in close-suburbs were under construction, but the future for the remaining 58 miles was uncertain. Officials, however, were committed to their construction.

On November 21, 120 area officials and 70 Metro staff members gathered at Airlie House near Warrenton, Virginia, to discuss how to finish the Metro system. The question was where to find an additional \$1.5 billion. If that gap could not be closed, 1975 would bring "Doomsday" for the Metro system. Even the mileage under construction could not be completed.

Officials agreed on a solution. They would ask Congress to authorize another \$1.3 billion, possibly by issuing bonds, to be matched under a new sharing formula by \$134 million collected from the eight city and county governments that are partners in WMATA. This plan involved congressional agreement to increase the Federal share from the normal 66 percent to 80 percent, as Congress had approved for other transit systems in the Federal-Aid Highway Act of 1973. The plan also involved making the change in matching share retroactive to July 1, 1973, a change that would increase the Federal contribution by \$720 million, leaving \$671 million to be raised to meet the higher estimated cost. The local jurisdictions, which had been contributing to the construction pot while seeing little construction in their jurisdictions, would have to go back to voters for new bond referenda.

Although Metro officials were reluctant to discuss what would happen if Congress rejected the plan, Jack Eisen pieced together the "bleak picture" they discussed with him. Suburban governments "might be expected to start curtailing their payments, forcing WMATA to decide which projects would have to be cut back to stay within the available funds:

A contract for work on a line into Prince George's County is due to be let soon, so the possible truncated subway network would provide only minimal service there and in Montgomery County and no service at all in Alexandria or Fairfax County.

Metro's budget director, William E. Boleyn, reported that OMB had not endorsed the plan. "They've listened, they've discussed, but they've not committed themselves."

The compact governments outside the District of Columbia were committed to pay interest and help retire \$1.2 billion in Metro construction bonds, but beyond that, they could refuse to pay for what they did not receive. Without the suburban lines, Metro would operate at an even larger deficit. "This could leave the District holding the bag."

And if all went well to account for the estimated \$4.5 billion cost of Metro, the cost could continue rising "if inflation does not begin to stop by the end of 1975, or if there are delays in construction due to any problems including a lag in funding."

John F. Herrity of the Fairfax County Board of Supervisors, "a persistent critic of Metro," according to Eisen, told the gathering that the gradual cost increases for Metro were like the

drop-by-drop water torture. He urged Metro to admit that the final estimate would be about \$5.5 billion, but General Graham said that projection was much too high. [Eisen, Jack, "Alternative Is Halved System: Massive Aid Held Needed For Metro," *The Washington Post*, November 23, 1974; Eisen, Jack, "Cost Estimate Almost Doubled, Now Stands at \$4.5 Billion," *The Washington Post*, November 24, 1974]

Representative Brock Adams, who had helped get Metro started in 1969, doubted Congress would provide the desired \$1.3 billion. The District Committee would consider any legislation to authorize the funds, but Chairman Natcher's subcommittee would have to approve the appropriation – an uncertainty in both cases. After Chairman Natcher's prediction that the cost would escalate to \$6 billion, Representative Adams agreed that Metro officials had "consistently underestimated the costs." He thought Metro would have to eliminate some of its 98-mile system.

Chairman Diggs of the District Committee said he had ordered a staff analysis "but I am not prepared to make a judgment on this matter" at the time. Representative Gude, who was to be ranking Republican on the committee, thought Congress would understand that Metro is dealing with the same inflation that was affecting all public works projects. "To bobtail or to truncate it at this time would be penny wise and pound foolish," he said.

Delegate Fauntroy agreed. He would "discourage any talk of curtailing the system. It was rationalized to meet the needs of the entire area and should be built." [Eisen, Jack, "Rep. Adams Asks Metro to Cut System," *The Washington Post*, November 28, 1974]

Winding Down the Freeways

A *Post* editorial described the situation as 1975 began:

Now and in the weeks ahead, the survival – or fiscal strangulation – of Greater Washington's Metrorail system depends on a series of make-or-break decisions by President Ford, Congress, the Maryland and Virginia state legislatures and every local government in this region. The problem . . . is inflation; and the danger, which we believe is real, is that seemingly sensible but short-sighted decisions to back away from awesome financial obligations will bring about a far more costly collapse of a nationally significant and locally necessary transportation project

Metro has effectively progressed beyond the point of no return. To stop the system dead in its tracks at this point, or even to build a bobtailed system, would leave some jurisdictions with nothing except grounds for demanding their money back – and others with impossible financial obligations for a project they couldn't begin to justify or sustain.

Increased State and local contributions were a possibility. Another option would have to be considered:

Ultimately, the search for new ways to meet local, state and federal costs of Metro should include a harder look at the possibilities of using money originally planned for expensive highway projects that this region doesn't need.

Experts predicted "there may be up to \$1.9 billion in federal and local funds currently tied to freeway plans for the area." In May 1974, Massachusetts, appropriately, was the first State to take advantage of the Interstate withdrawal-substitution provision of the 1973 Act that Governor Sargent had championed. The State had received more than \$600 million in general Treasury funds in substitution for Interstate construction funds intended for I-95 and I-695:

There may be arguments here about which area highway projects ought to be formally eliminated, but we have a strong hunch that many taxpayers would perk up at the prospect of trading in costly, unwanted segments of highway for better mass transit services.

Already, "exploratory study" was underway by regional officials. The prospect may raise "delicate political considerations as well as specific legal steps" before substitution could be accomplished. "Nevertheless, the extreme financial strains on governments and taxpayers, coupled with the urgent need to make the Metrorail system a workable reality for the national capital area, point up the necessity of exploring every way possible to stretch the region's transportation dollars. ["Finding Ways to Pay for Metro," *The Washington Post*, January 20, 1975]

According to sources, the U.S. Department of Transportation was "desperately trying to find money for Metro." The obvious source was the withdrawal-substitution provision. Key targets were the South Leg of the Inner Loop and the North-Central Freeway. The department was, in late January, excluding the Three Sisters Bridge, the Potomac River Freeway, and the extension of I-66 into the city – all technically active projects. The *Star's* Thomas Crosby reported that, "DOT officials are uncertain how much money would be involved, but it is possible the entire \$1.4 billion that Metro needs could be made available."

City Council Chairman Tucker, when told of the study, told Crosby, "My personal view is we need no more concrete jungles through the city but the situation must be assessed." He opposed more freeways, but completing some projects might be needed to "make some kind of sense" of the city's freeway network.

Mayor Washington also said the idea had "substantial potential and we are studying this matter. We expect to be able to take advantage of this alternative." [Crosby, Thomas, "U.S. Ponders Canceling Freeways to Pay for Metro," *The Washington Star-News*, January 23, 1975]

While District officials debated which freeways to withdraw, Maryland's actions essentially determined the fate of some of the freeways. On February 25, 1975, Governor Mandel requested the withdrawal of I-70S (soon to be renumbered I-270) and I-95 between the Capital Beltway and the District line. If, as seemed likely, those segments were withdrawn, the District's continuations of the routes to the District/Maryland line would truly be "roads to nowhere."

The Maryland withdrawals were under separate provisions of Title 23, United States Code. Maryland proposed to withdraw I-270 inside the Capital Beltway under Section 103(e)(4), the Interstate withdrawal-substitution mechanism included in the 1973 Act.

Maryland proposed to withdraw I-95 between the Capital Beltway and the District line under Section 103(e)(2), known as the Howard-Cramer Act. As noted earlier, this 1968 law authorized 200 miles as a supplement for cases where the Secretary agreed, at the request of a State, to withdraw a segment of the Interstate System; the State could combine the withdrawn mileage and a portion of the Howard-Cramer mileage for another designated route (23 U.S.C. 139 – Additions to Interstate System) as long as the total would not cost more than the withdrawn segment. The Federal-Aid Highway Act of 1973 increased the Howard-Cramer mileage to 500 miles.

On May 12, 1975, City Administrator Julian R. Dugas informed the transportation and environmental committee of the city council that the District would use the Interstate withdrawal/substitution mechanism to shift funds to Metro. The city planned to request withdrawal of 7.6 miles of controversial Interstate segments: the Inner Loop Freeway segment of I-66 planned as a tunnel under K Street, NW.; the North-Central Freeway (I-70S); and the Northeast Freeway (I-95). Dugas added that several other projects were being kept alive for exploration of alternatives. Eisen listed them in his account of the announcement:

Among the projects kept alive are the Three Sisters Bridge and a connecting tunnel alongside the Georgetown riverfront; a freeway along the west bank of the Anacostia River passing and serving the Robert F. Kennedy Stadium; the south leg of the Inner Loop Freeway through West Potomac Park, and a freeway link between the center leg of the Inner Loop near 4th Street and New York Avenue NW generally northeastward to 9th Street NE

Dugas emphasized that the city had no plans to build these highway segments. Officials wanted to reserve the \$800 million earmarked for them until final decisions are made on their fates. For example, Dugas said the freeway along the Anacostia River might be built as a parkway with its traffic flow reversible to serve stadium events, such as games by the area's football team.

At the moment, WMATA had only enough funds for one more major construction contract. WMATA was hoping for approval of a bill in Congress that would allow \$1.5 billion worth of projects to advance, with the Federal Government paying \$1.3 billion of that amount:

At present, about 40 miles of route[s] are under construction, including 25 miles in Washington. Without the added money, Metro officials have warned that the 98-mile system would have to be slashed to about 48 miles.

Dugas told the transportation committee that the initial substitutions would make about \$500 million available for Metro. It “will not solve the Metro financing need,” he said, but would allow construction to continue until “a realistic financial plan for completion” could be developed. WMATA Comptroller Lowe appreciated the thought, but was concerned that the funds would not become available in time to help Metro's immediate need.

Sammie Abbott said after Dugas's announcement, "The most charitable thing you can say is that [it] is a cowardly evasion of the problem." [Eisen, Jack, "Road Funds Shift to Metro Sought," *The Washington Post*, May 13, 1975]

Committee Chairman Moore scheduled hearings in late June to discuss further withdrawals from the Interstate System under the 1973 Act provision. City planning officials told the committee that they favored transferring funds from the remaining proposed freeways – including the I-66

K Street tunnel and the I-266 Three Sisters Bridge – to mass transit. Ben W. Gilbert, director of the planning office, said he supported the shift of funds to mass transit, but wanted the city council to "reserve sufficient funds" to study and develop the Industrial Freeway from 9th Street, NE., to the District Line. Planners considered the freeway a way to spur a small industrial complex in the New York Avenue corridor. It was, he said, "an opportunity for diversified employment in the District."

Councilwoman Shackleton, who had long opposed the Three Sisters Bridge, favored removal of the freeways and inclusion of the Industrial Freeway in the Interstate System. The *Post* described Abbott's reaction to the discussion of the Industrial Freeway:

Sam Abbott, a member of the Emergency Committee on the Transportation Crisis, challenged both Gilbert and Mrs. Shackleton about their support of the freeway.

"What they call citizen involvement is a phony," Abbott said. "People in the area will tell you they oppose the freeway." He accused Mrs. Shackleton of being "misguided" in her support of the freeway "because it's not going through Georgetown," a portion of her ward. [Jones, Linda Newton, "City Aides Back Transfer of Funds to Metro," *The Washington Post*, June 27, 1975]

On June 27, 1975, Mayor Washington submitted a formal request for withdrawal of I-70S and the unbuilt portion of I-95 inside the District of Columbia.

By then, Secretary Brinegar had left office. When President Ford announced his intention to seek election to the post in 1976, Secretary Brinegar decided to resign rather than be part of a political campaign. He had never been a political person.

On January 14, 1975, President Ford announced that he would nominate William T. Coleman, Jr., an African-American attorney based in Philadelphia, as the fourth Secretary of Transportation. Supreme Court Justice Marshall, Coleman's associate from the Civil Rights era, administered the oath of office in a White House ceremony on March 7, 1975. During his tenure, he would live in McLean, Virginia, at 1100 Crest Lane, near the George Washington Memorial Parkway. (Former Attorney General Elliot L. Richardson, Coleman's closest friend since their days at Harvard, had "offered us the use of their house on the bluffs overlooking the Potomac River," Coleman explained in his autobiography. [Coleman, William T., with Bliss, Donald T., *Counsel For the Situation: Shaping the Law to Realize America's Promise*, Brookings Institution Press, 2010, page 214]

Unlike his methodical predecessor, Coleman would prove to be a confident and quick decisionmaker who would address several freeway crises, including the fate of I-66 in Virginia, as will be discussed.

On July 28, 1975, Administrator Tiemann and Acting UMTA Administrator Judith T. Connor approved Maryland's request to withdraw I-270 (formerly I-70S) and I-95 inside the Capital Beltway. Their cosigned letter to Governor Mandel addressed the withdrawals based on the different provisions of Title 23, United States Code, that Maryland had cited in its request. The approved withdrawals under Section 103(e)(2) and (4) were subject to three conditions:

1. That Maryland, Virginia and [the] District of Columbia agree to the routing of I-95 via I-495 in order to maintain System continuity for I-95, and that AASHTO concurs in such routing.
2. That Maryland agrees to provide an appropriate Interstate connecting link inside I-495 under the provisions of Section 139 of Title 23 in the event that the District of Columbia proposes, and FHWA approves, the New York Avenue-Industrial Freeway Corridor as an addition to the Interstate System under Section 103(e).
3. That evidence of Takoma Park, Hyattsville and College Park concurrence in the withdrawal is furnished as required by paragraph 476.304 of the June 12, 1974, regulations; or that documentation is furnished indicating that under Maryland State law these jurisdictions are not "Local Governments Concerned" (LGC) as defined by paragraph 476.2(b) of the regulations.

Section 139, added to Title 23 by the Federal-Aid Highway Act of 1968, authorized the Secretary to approve Interstate designation for routes that would be a logical addition or connection to the Interstate System, meet or will meet all Interstate standards, and have been built or will be built without Interstate Construction funds – "shall create no Federal financial responsibility" except that the State may use its apportioned Federal-aid primary system funds for the route if it wishes.

Paragraph 476.304 of Title 23, Code of Federal Regulations, required that withdrawals under Section 103(e)(4) be submitted jointly by the Governor "and local governments concerned, with the concurrence of responsible local officials."

Tiemann and Connor approved alternative Interstate segments under Section 103(e)(2), subject to specified conditions:

- (a) The Baltimore-Annapolis Interstate route is approved with the understanding that the final location (Anne Arundel Expressway, Route 2 versus Patuxent Freeway, Route 3) will be determined when the results of the Baltimore-Annapolis Transportation Study are available, and that an appropriate connection to the Baltimore terminus will be provided under Section 139 for System connectivity.
- (b) U.S. Route 50 between the Capital Beltway and Annapolis is approved subject to your furnishing, with respect to the portion of this route located within the District of Columbia urbanized area, documentation of consultation with the responsible local officials (WASHCOG/TPB) and with local governments concerned (Prince Georges County) as required by paragraph 476.206 of the regulations. It is understood that the

specific Annapolis terminus of the route will be determined after the specific location of the Baltimore-Annapolis route is established.

Paragraph 476.204 explained how a State may seek withdrawal of a designated Interstate segment outside the context of the withdrawal-substitution mechanism. Further, under paragraph 476-206, “A State highway department may request use of the mileage withdrawn under § 476.204, or of the additional [Howard-Cramer] Interstate mileage authorized by 23 U.S.C. 103(e)(2), or both, for a substitute or additional segment.” For segments in an urbanized area, the request was to be submitted jointly by the State highway department and the local governments concerned and responsible local official officials.

- (c) The Route 3 connector between U.S. 50 and Route 32 is approved with the understanding that the northern terminus of the route will be determined when the specific location of the Baltimore-Annapolis route is established.
- (d) The proposed extension of Route 46 from U.S. 1 to the Baltimore-Washington International Airport is approved.
- (e) The outer belt segment from I-270 to the proposed Shady Grove Transit Station is approved:
 - (1) Subject to the construction of the Metro Line and proposed extension to serve the Shady Grove area; and the construction of the transit station, access road, and related facilities.
 - (2) Subject to your furnishing evidence of consultation with the city of Gaithersburg on this proposed addition, or evidence that Gaithersburg is not a LGC.
 - (3) With the understanding that the entire cost of the spur, including the I-270 interchange, will be constructed with substitute funds.

With respect to the proposed System additions under Section 139, we are today approving the portion of the airport spur (Route 46) from I-95 to U.S. 1. This approval under Section 139 complements the Section 103(e)(2) approval action indicated under Item (d) above. We are also granting an interim approval of the extension of the Baltimore Beltway to an intersection with the proposed Baltimore-Annapolis route. This action, which is consistent with Item (a) above, will provide temporary System connectivity in the Baltimore area. Final approval of this link and the remaining proposed addition under Section 139 will be deferred pending clarification of the segments involved and a final determination of the location of the Baltimore-Annapolis route.

The *Post* summarized Maryland’s plans:

The state proposal calls for using \$36.2 million . . . to extend the projected Rockville rail line three miles to Shady Grove Road, near Gaithersburg, and \$50.1 million to divert the Greenbelt rail line from the east side of the University of Maryland’s College Park campus to its west side, generally into the old I-95 corridor

One other suburban Washington project that would be financed with the transferred interstate funds would be a segment of the proposed Outer Beltway from I-270 to the projected new Shady Grove Metrorail terminal.

Among the highway projects to be financed from the fund transfer is the widening and upgrading of U.S. Rte. 50, the John Hanson Highway, between the Capital Beltway and Annapolis Other road projects approved yesterday by Tiemann as part of the Maryland package are an access road from I-95 near Elkridge to the Baltimore-Washington (Friendship) International Airport and a freeway from Baltimore to Annapolis, entailing a reconstruction of Maryland Rte. 3 connecting with a new freeway on the west side of the Severn River through the Crownsville area of Anne Arundel County.

According to Professor Schrag, Maryland added the extension to Shady Grove “to avoid placing rail yards in Rockville.” City officials also were concerned about possible congestion at the terminus in the Rockville station. The extension of Metro to Shady Grove Road increased the Metro system to 103 miles. [Eisen, Jack, and Dewar, Helen, “Transfer of Freeway Funds Approved,” *The Washington Post*, July 25, 1975; Eisen, Jack, “Rockville and Greenbelt Lines Are Funded by U.S. for Metro,” *The Washington Post*, July 27, 1975; Schrag, page 231]

Despite the approval, Tiemann and Connor said they were “very concerned . . . over the current financial problems of funding the Metro’s 98-mile Adopted Regional System”:

Our action with respect to the Section 103(e)(4) elements of your proposal is therefore limited to an approval of the withdrawal with the reservation of an appropriate amount of substitute funds for future implementation of substitute transit projects. Before the Urban Mass Transportation Administration can approve specific project applications for Lines connected to the Metro System there must be reasonable assurance that these Lines will, in fact, be connected to a constructed Metro System. To approve these projects without such assurance would not be to our mutual interest.

In other words, if financial cutbacks prevented construction of Metro to Rockville, the extension to Shady Grove would not be eligible for substitution funds from the general Treasury.

Section 125 of the Federal-Aid Highway Amendments Act of 1974 (P.L. 93-643, January 4, 1975) revised the way the amount of substitution funds under Section 103(e)(4) would be calculated. The base cost in the most recent ICE would be increased or decreased based on variations since then in the cost of construction as of the time of the withdrawal/substitution action. Maryland had estimated that with the escalation factor since the 1972 ICE, its withdrawal requests would result in about \$270 million becoming available for substitute projects. However, because FHWA had not yet released guidelines for calculations under the 1974 amendment, officials could not calculate the precise amounts that would become available for the proposed substitution projects.

Tiemann and Connor ended with a compliment:

In closing, we compliment you and the officials of Montgomery and Prince Georges Counties for coming forth with positive transportation proposals, employing the provisions of the 1973 Federal-Aid Highway Act which provide the flexibility to resolve major Interstate issues while meeting the transportation needs of the urbanized areas. We

are confident that with the System related activities currently under way in the District of Columbia, an integrated transportation program which best serves the needs of the entire metropolitan area will be achieved. You may be assured that we will work closely with you and other jurisdictions involved towards that achievement.

The District's request drew White House attention, in part because of President Ford's past positions. As President, he was aware of President Nixon's support of Metro as a unique Federal responsibility and wanted to honor President Nixon's commitments, but "was appalled by the cost overruns, which he blamed on WMATA's failure to get tough with bus unions," according to Professor Schrag. He had asked Secretary Coleman to develop a sound financing plan for Metro, but he also "feared that a generous payout to WMATA would set a national precedent":

White House aides concluded that "the Metro cost overrun issue [is] controversial and a no-win matter. We should move quickly to put some distance between it and the President," delegating decisions to the secretary of transportation. Nevertheless, in June 1975 Ford himself chose Interstate transfers as the centerpiece of a Metro financing plan. [Schrag, page 181-182]

On October 3, Secretary Coleman announced that Administrator Tiemann and UMTA Administrator Robert E. Patricelli had approved the District's request to withdraw the unbuilt

I-70S and I-95 from the Interstate System. A grant of \$286,560,000 would go to WMATA for Metro construction. The press release announcing the approval included a statement from Secretary Coleman:

Regional and Federal officials acknowledged last spring that the first priority must be to meet Metro's immediate financing needs. Today we are doing that.

He hoped the move was only the first step in "an effort by all the area jurisdictions to draw on available resources to meet Metro funding needs."

Administrator Patricelli said that the substitute transit projects represented the largest grant that UMTA had approved. Counting local matching funds, the grant amounted to \$358 million for

11 construction contracts, track work, and graphics contracts for which final design and engineering had been completed or were rapidly nearing completion. The contracts were in the District, Maryland, and Virginia. The funds would allow Metrorail construction to remain on schedule through most of FY 1976.

(Patricelli, 35 years old, had taken the oath of office as UMTA Administrator on August 6, 1975. He had served in the Department of Health, Education and Welfare, but since 1971 had been living in his home town of Hartford, Connecticut, where he was vice president of Greater Hartford Process and Greater Hartford Community Development Corporation. Returning to the Washington area for the UMTA post, he relocated his family to 7721 Desdemona Court in McLean, Virginia, with the intention of commuting by bus to Department of Transportation headquarters. When he learned how inconvenient bus commuting from McLean would be, he switched to driving his car and parking it in the Department's four-level underground garage. He

had never held a job related to transit, but thought the job would be an “exciting challenge.” [Crosby, Thomas, “Brand New U.S. Mass Transit Boss Misses the Bus,” *The Washington Star*, August 7, 1975])

To WMATA officials dealing with the financial crisis, the new funding was “manna from heaven,” as Professor Schrag quoted:

With the administration allowing D.C. and its suburbs to transfer money at a faster rate than could other urban areas, WMATA soon became the nation’s heaviest user of highway transfer funds, and by January 1976 WMATA was counting on \$875 million. [Schrag, page 182]

The withdrawal of the District’s unbuilt portions of I-70S and I-95 and the use of substitution funds for Metro in and out of the District raised unexpected problems. One involved the difference between the District’s plans and those of Maryland and Virginia, according to Professor Schrag:

For one thing, they [the complications] threatened the symmetry of the compact. The unbuilt highways in the District were by far more extensive, more costly, and less popular than the unbuilt segments in Maryland and Virginia. Moreover, though Maryland and Virginia were willing to scrap certain controversial segments (such as I-95 within the Beltway and the Three Sisters Bridge), unlike the District they had other roads they wanted to build. The District therefore would make a greater financial sacrifice than its neighbors, and Mayor Washington could be accused of selling out to the suburbs. Conversely, the District’s eagerness to transfer funds led the Ford administration, Graham, and the suburban WMATA representatives to worry lest the District claim to own the football and make the rules. [Schrag, page 182]

Professor Schrag also pointed out that the reliance on substitution funds “threatened Metro’s special status as a federal ward.” Unlike rail rapid transit programs in other metropolitan areas, Metro had received Federal loan guarantees and more Federal funds than other systems “in absolute terms” because of its unique status – but was still subject to the local matching requirement of one-third instead of the 20-percent required in other areas under the Federal-Aid Highway Act of 1973. To protect Metro’s special status, General Graham had cautioned against national transit aid:

By asking for highway transfer funds, WMATA bit that apple. Metro’s friends in Congress immediately gave up on trying to save the system with special legislation, and the Urban Mass Transportation Administration asserted its obligation to assure “that Departmental METRO decisions are reasonably consistent with nationwide mass transit policy.” Having surrendered its claims to special status, Metro now shared a fate with San Francisco Bay Area’s BART, Atlanta’s MARTA, and every other urban transit system in the nation. [Schrag, Page 182]

In short, Metro could no longer count on special treatment by Congress.

(In the early 1970s, AASHO and FHWA wanted to change Interstate numbers to eliminate alphabetic directional suffixes (N, E, S, and W). On April 18, 1975, FHWA approved Maryland's request to change I-70N (Frederick into Baltimore) to I-70 and I-70S (Frederick into Washington) to I-270. At the time, I-270 continued via an interchange with the Capital Beltway into the city along the North-Central Freeway, but that would soon change. Today, I-270 terminates at the Capital Beltway with a "Y" connection – with a southwesterly leg connecting with the Capital Beltway near Bradley Boulevard and the other extending southeasterly to the Pooks Hill interchange. AASHO's Route Numbering Committee approved the change during its meeting on November 14, 1975.

(Eisen reported that the N/S designations were a compromise dating to the numbering of the Interstate System in the late 1950s. "Rather than choose between favoring either the nation's capital or its busy seaport neighbor, highway officials labeled the Washington branch 'S' for south and the Baltimore branch 'N' for north.

(According to Maryland State Highway Administrator Bernard Evans, FHWA initiated the change because it considered the designations I-70S and I-70N confusing to motorists who, while trying to drive west or east had to choose between routes with north and south suffixes. The District's Thomas Airis had blocked the change of I-70S to a three-digit number because he believed the Nation's capital deserved two-digit status. With his retirement, the change became a reality. According to Evans, "Our only problem is that quite a few people will have to relearn a little bit, but we don't think that amount of relearning is unbearable." Signs alerting motorists to the ROUTE NUMBER CHANGE, began appearing in March. [Eisen, Jack, "Route I-70S in Maryland Quietly Becomes Known as I-270," *The Washington Post*, March 2, 1975])

Searching For a Metro Plan

In early 1975, the Ford Administration was searching for a solution to Metro's funding problems. OMB Director James T. Lynn had summarized his views in a memorandum to President Ford on April 16, 1975. At the time, 40 miles were under construction, mostly in the District, and 30 miles were under final design:

If all existing commitments – Federal and local – toward the \$3.0B plan were met, 76 miles of the system could be built. However, WMATA believes a Federal decision not to provide additional funding toward a \$4.5B cost estimate would collapse existing financing arrangements to the point that only 47 miles could be built (at a cost of about \$2.4B).

After describing the Metro system, the reasons for the cost increases, and the options for controlling costs, Lynn concluded that support for full funding was "not justified in our view because of the high marginal cost of the transportation benefits received." That would leave funding available for a 76-mile Metro system, but only if Maryland and Virginia jurisdictions agreed on highway decisions resulting in substitution transfer funds "which may be difficult to achieve."

Referring to a recent UMTA policy on alternatives analysis for new rail rapid transit systems, Lynn wrote:

It is probable that if WMATA were applying for Federal assistance for the unbuilt lines for the first time through the regular UMTA program, some of their proposals might not withstand the test of cost-effectiveness and would not be funded by UMTA.

In contrast, however, the Federal involvement during the inception and development of METRO, the Federal stake in some kind of successful outcome, plus the good faith efforts of the local jurisdictions make it undesirable to take a position that no further Federal assistance should be forthcoming. Such a position would probably not be agreeable to the Congress.

He presented four alternatives, the first of which were:

Alt. #1. The Federal Government to pay 80% of the increased costs plus 80% of the costs since July 1, 1973. (The date on which the national mass transit program went to 80-20.) Local officials on November 21 voted unanimously to seek this arrangement. It would entail additional Federal contributions of \$1,257M and additional local contributions of \$135M.

Alt. #1A. To ease the near-term Federal outlay impact, WMATA has proposed that the Federal Government authorize the sale of \$1.257M in taxable bonds for which the Government would pay the principal and interest over a 40-year period. Annual liquidating appropriations would be \$88M, with a \$14M tax recapture for a net annual Federal cost of \$74M.

Alt. #2. No further special Federal financing. Any additional funds would come from a combination of local funds, interstate substitution funds, and perhaps, the UMTA nationwide mass transit program late in the decade. The current UMTA funding assumptions do not include any planned coverage for METRO. This alternative assumes the localities would repay existing bond obligations, but some contingent Federal liability of up to \$997M already exists due to the Federal guarantee.

Lynn favored Alternative #3:

Reliance on Interstate Funds with accelerated payments. Funding would come from money available through Interstate transfer. Legislation, in the form of an amendment to the National Capital Transportation Act, would be submitted soon to provide for such a mechanism.

This mechanism would allow local officials to choose between highway mileage and mass transit. Until final local decisions on highway substitutions are made, it will not be known if such funds will be adequate to complete the system. If these funds are not adequate, or if fiscal uncertainties cause a failure to issue the remaining bonds, a decision on possible additional Federal assistance will be needed. However, any consideration of this question should not be required until all highway substitution decisions are made and resultant funding substantially committed, in two to three years.

Lynn explained his choice of alternative #3 in the memorandum's evaluation and recommendation section:

Full local use of interstate transfer funds and their accelerated availability should make possible completion of the system. It would provide the maximum incentive to local officials to make good their bond guarantees, reducing possible Federal liability for almost \$1B in already issued bonds. This proposal would offer a solid alternative to area officials and, if agreed to, prevent a separate appeal to the Congress.

Secretary Coleman has been briefed on the details of this memorandum. He strongly supports the effort to meet the METRO construction schedule and agrees that among the financing alternatives available, the use of the interstate transfer provisions is the best means of meeting increased METRO construction costs while minimizing the total impact on Federal expenditures.

In summary, Alt. #3 – while subject to some uncertainties – appears to be the most desirable course at this time.

In an appendix to Lynn's memo, Secretary Coleman opposed "either a slowdown in the pace of METRO construction or cutbacks in the mileage of the final system":

At a time when the Administration is attempting to cut back fuel consumption, when construction delays mean substantially increased costs, and when cutbacks in the METRO system would greatly reduce service to low and moderate income areas of the District, such a position would not be tenable.

He agreed that the Interstate withdrawal-substitution provision was "the best available means of meeting increased METRO construction costs," but he did agree with the mechanism OMB proposed involving an amendment to the National Capital Transportation Act:

The Department's recommended approach for managing the interstate transfer provision throughout the Nation as well as in D.C., would provide for control of the rate at which funds are obligated without the need for new legislation. Furthermore, the DOT recommendation would permit management and funding decisions on the substitute transit projects to be made in the context of the national transit program, rather than being dictated by an unrelated highway distribution formula. [Gerald R. Ford Library, <https://www.fordlibrarymuseum.gov/library/document/0047/phw19750416-01.pdf>]

In August, Mayor Washington announced that Douglas Schneider would become acting director in October of the District's new Department of Transportation. The new department incorporated the Department of Highways and Traffic, the Department of Motor Vehicles, and the Office of the Mayor's Transportation Systems Coordinator.

Four years earlier, Schneider had begun riding his three-speed bicycle from his home in Glover Park to his job as executive director of the Washington Metropolitan Transit Commission, which was located at 1623 I Street, NW. Three weeks later, he switched back to taking the bus. "The major problem," he explained, "was the automobile traffic. I didn't feel safe and when I got to

work I needed a shower badly.” Despite this early experience, the “athletically trim 43 year old” remained a bicycling enthusiast. [Crosby, Thomas, “Pedalling Transit Chief Plans 75 Miles of New Bikeways,” *The Washington Star*, August 7, 1975; “Schneider to Head New D.C. Agency,” *The Washington Star*, October 30, 1975]

While working for the transit oversight commission, Schneider had fought for WMATA’s takeover of the area’s bus systems. He also had been a member of the TPB as it worked against the city’s planned freeway network. Now, as the new director, he agreed with those who favored using the withdrawal-substitution mechanism in the Federal-Aid Highway Act of 1973 to secure funds for Metro.

City Council Chairman Tucker favored freeing about \$1.25 billion by wiping out all the freeway mileage that was not yet underway. Further, the decision to kill the remaining Interstate would show that the District was finally in control of its own destiny. Doing so, however, would help fund the system, but the transfer would also “drive a final stake through the heart of the freeways and the bridge,” as Professor Schrag wrote.

Timing was another factor. All the substitution funding was not needed immediately. By spacing out the withdrawals, Metro would gain more substitution funds from the general Treasury under the new calculation process required by Section 125 of the Federal-Aid Highway Amendments Act of 1974. [Schrag, pages 181]

During a press conference on October 8, Chairman Tucker discussed the disparity among Maryland, Virginia, and the District in the use of substitution funds. The District had shared its substitution funds with Metro, but Virginia refused to spend highway revenue on Metro while Maryland was using only a small part of its transfer funds for Metro, which now included the extension to Shady Grove that increased overall costs. With the city contemplating what to do with remaining substitution funds, Tucker said, “There should be some movement on the part of Maryland and Virginia.” The city’s failure to allow additional funds to be shifted to Metro at this time, could bring construction to a halt. “I’m saying to them [Metro officials] ‘Don’t count that \$250 million yet,’ until we see every reasonable effort of Maryland and Virginia to put money in the general pot.” [Lynton, Stephen J., and Bowman, LaBarbara, “City Eyes Holdout on Metro,” *The Washington Post*, October 9, 1975]

Virginia’s General Assembly had included \$15.2 million in its budget from highway user tax revenue to help Alexandria, Falls Church, Arlington, and Fairfax County with their share of Metro costs. It had been considered a coup for the region; the *Star* headline at the close of the session told the story: “Northern Va. Delegates Bring Home the Bacon”:

Northern Virginia’s lawmakers went home triumphantly yesterday with a \$15.2 million transit fund assured for their area . . . and authorization of a toll road running side by side the limited access highway to Dulles International Airport

Despite efforts to take the funds from general revenue, the General Assembly finally designated that the funds were to come from the State’s highway trust fund:

While the \$15.2 million falls somewhat short of the \$20 million the Northern Virginia Transportation Commission sought for Metro rapid rail construction costs over the next two fiscal years, the approved sum was triple the \$5 million proposed in former Gov. Linwood Holton's budget message two months ago.

It was, the area's legislators believed, their "major accomplishment." [Kelly, Brian, "North Va. Delegates Bring Home the Bacon," *The Washington Star-News*, March 11, 1974]

(In 1974, VDH was incorporated into a new VDHT, which included rail and public transportation in its jurisdiction. The General Assembly turned down creation of a Virginia Department of Transportation, while adding transportation planning to the VHTD. In approving legislation to create VDHT, the General Assembly declared:

It is hereby declared to be the policy of the Commonwealth of Virginia that the present and future welfare and mobility of the citizens of Virginia require a balanced transportation system, consisting of coordinated private and public facilities and services, provided and administered to assure adequate, safe, economic, and efficient transportation.

(The transportation system should "stimulate economic growth, provide access to employment, health, educational, recreation, and other activities for all . . . citizens, facilitate the flow of commerce, encourage efficient allocation of human and economic resources, and preserve the inherent advantages of each mode, while utilizing inter-modal advantages to the fullest extent."

(According to a history of Virginia transportation:

The department's job in the planning of air, rail and waterway facilities was limited by the General Assembly to one of coordination. The authority of other state and local agencies and the private sector was kept intact.

Still, precisely what would be the state government's role in the planning, development and administration of highways, rail transportation, air travel, urban mass transit, ports and waterways remained a question in the minds of department officials.

(The General Assembly reconstituted VDHT as the Virginia Department of Transportation in 1986 "to reflect the increased emphasis on diverse modes of transportation." [*A History of Roads in Virginia: "The Most Convenient Ways,"* Special Centennial Edition, Virginia Department of Transportation, 2006, pages 53-54, 67)

In early October 1975, the *Post* and *Star* reported that in VHTD's budget for the next 2 years, Fugate had not included \$15.2 million that the General Assembly had approved in 1974 for transit in northern Virginia.

Fugate's decision not to draw on the funds for Metro in VHTD's 2-year budget was seen as a betrayal of the compromise needed to secure approval of the funds in 1974:

“I told him that he had broken faith with the House Appropriations Committee and with me particularly,” said House Majority Leader James M. Thomson (D-Alexandria) after Fugate told him of the exclusion Friday [October 3].

Thomson said that Fugate agreed to incorporate \$15 million for Metro construction in his own budget in 1974 “with the full understanding that this was a continuing program.” Thomson said Fugate also understood that the state was eventually to “fund 65 or 70 per cent of Northern Virginia localities’ share for Metro capital construction.”

State Senator Hirst called Fugate’s decision “an outrageous neglect of our needs.” He vowed to “fight tooth and nail” to convince Governor Godwin and the General Assembly to reinstate the funds.

Fugate explained that he had excluded the funds because of a lack of funds for State roads and a decrease in State revenues. He did not believe he had authority, despite the 1974 legislation, to use gasoline tax revenue for anything but highway construction and maintenance. His spokesman explained that Fugate was “not the foe of mass transit as he sometimes comes out seeming. But where is the money going to come from when we’ve all these other problems.” [Yeager, Deborah Sue, and Lynton, Stephen J., “Va. Road Unit Excludes Aid for Metro,” *The Washington Post*, October 5, 1975]

Fugate appeared on October 9 before northern Virginia legislators at a budget conference in Richmond. He explained that the 1974 appropriation of \$15 million conflicted with State law on how highway trust funds could be used. In reply to a question, he said, he was “prepared to see the law changed” to allow use of the gas tax revenue for transit if the General Assembly came up with additional funds and “can develop an equitable division of funds.”

Delegate Vincent F. Callahan, Jr., of Fairfax said, “I took it as an oblique commitment to cracking the road fund for transit.” However, Delegate Dorothy S. McDiarmid, also of Fairfax, said, “I think he will support use of the money for transit, although he was a little wobbly about it at points.” [Edwards, Paul G., “Fugate Won’t Oppose Aid to Mass Transit,” *The Washington Post*, October 10, 1975]

Star editors admitted that Fugate’s “freshest exercise in government gamesmanship” was not a surprise. After all, Governor Godwin had referred to Metro as a “boondoggle.” Not, the editors stated, that Fugate needed encouragement from the governor. Fugate “had been awaiting an opportunity to show the rambunctious urbanites of Northern Virginia who has the clout.” His exclusion of the transit funds “looks vindictive” and like “mischievous harassment.”

The result was that northern Virginia legislators would have to “expend time and energy at next year’s session in another of the rural-urban skirmishes that annually are a main event down there,” where rural legislators took tax revenue from heavily populated northern Virginia to build roads elsewhere in the rural parts of the State:

But Mr. Fugate has expressed his pique effectively. As the protests roll in from jurisdictions along the Potomac River, he probably is humming the song from the movie

Nashville that goes, “It don’t worry me . . .” [“Mr. Fugate’s Mischief,” *The Washington Star*, October 10, 1975]

Governor Godwin appeared to endorse Fugate’s view during a press conference on October 10. He said he had not decided whether to include the \$15 million in his budget proposal to the General Assembly in 1976. However, the *Post* reported that “he endorsed the position of his top transportation adviser, Douglas B. Fugate, that the General Assembly will have to change existing law before Fugate can recommend transit spending in his Highway and Transportation Department budget.” He said he was “not aware of any agreement” between Fugate and legislators in 1974 “to carry forward the mass transit appropriation” in the recently submitted VDHT budget.

As for Metro, he said:

It must be pretty evident to everybody that rail transit in the Washington area is almost a financial disaster. The cost is unbelievably high. It may cost as much as \$6 billion to build, even more, together with an operating budget of staggering proportions.

He added that, “The people all across Virginia may not want to support it” since it would not benefit anyone outside northern Virginia. [Edwards, Paul, “Godwin Hints No Metro Aid,” *The Washington Post*, October 12, 1975; Associated Press, “Godwin Sees an End to Budget Cutbacks,” *The Washington Star*, October 12, 1975]

On October 14, the *Post* and *Star* interviewed Theodore C. Lutz, Deputy Under Secretary of Transportation with oversight of Metro’s finances. He said that Secretary Coleman planned to send a plan to the White House that involved using Federal highway funds to cover most of the

\$1 billion cost overrun for Metro. The plan, which involved finding additional funds to help finance principal and interest payments on long-term bonds, was designed to remove financial obstacles to paying the \$4.6 billion cost of Metro.

The Interstate withdrawal-substitution mechanism was one of the chief sources of new revenue:

Shifts of U.S. money from highways to the Metro subway are regarded by federal and some local officials, nevertheless, as the easiest means of solving Metro’s multibillion dollar troubles, partly because such transfers do not require legislation.

One estimate predicted the transfers would amount to \$1.5 billion, but Lutz pointed out that the Federal-Aid Highway Amendments of 1974 had, in response to the energy crisis, revised the substitute funding entitlement. The base cost of a withdrawn route under the most recent ICE would be increased or decreased in accordance with variations in the cost of construction:

Lutz said this could mean a 60 per cent increase nationally and as much as a 300 per cent boost in the District of Columbia’s federal highway money because of faster rises in construction costs here.

The Department was still working on calculations of the impact of the provision, but Lutz thought the “amount may be sufficient to cover Metro’s \$1 billion overruns in construction costs,” as the *Post* summarized:

Among other points, Lutz noted that the department will ask Metro officials to carry out “hard-nose construction cost economies” to save money and avoid further overruns. He said the department probably will offer to pay for a study of possible local tax measures to help finance the Maryland, Virginia and D.C. governments’ shares of anticipated operating losses and revenue bond payments. Some officials already have suggested regional gasoline, sales or other taxes to help finance these costs.

He added that WMATA needed to let the public know about the cost savings. “Metro has got to show the public it is making some cost savings to offset the ballooning of the economy.”

General Graham had established a special committee to find savings. Thus far, the committee had identified a potential \$40 million in savings, but they had not yet been presented to WMATA’s board of directors.

Debt service also had to be addressed. WMATA estimated that service on its 40-year bonds would reach \$90 million a year by 1984. The *Star* pointed out that “Metro officials originally hoped to repay the bonds out of the fare box, [but] they now concede it will not be possible.”

As noted, the District, Maryland, and Virginia had different priorities:

Virginia has refused to shift federal highway money to aid mass transit. Maryland has agreed to such transfers, but only to modify Metro routes in Maryland. D.C. officials have threatened to block further shifts of highway funds unless Virginia and Maryland accept similar moves. [Lynton, Stephen J., “Ford to Get Plan to Keep Metro Alive,” *The Washington Post*, October 15, 1975; Crosby, Thomas, “Tough Decision For Area: Highways or Subway,” *The Washington Star*, October 15, 1975]

Metro’s financial strain prompted varied reactions among the partners in its construction. First, WMATA had increased the cost estimate to \$4.6 billion, leaving a \$1.5 billion gap since the previous estimate of nearly \$3 billion. Then they admitted what almost all observers had said, namely that fare receipts could not cover the estimated \$2.5 billion in principal and interest payments on the long-term bonds. As the *Post* pointed out, “Another source of money is needed to repay the debt.” These problems were compounded by the losses WMATA was experiencing on Metrobus:

The subway is expected to lose more than \$100 million in its first five years. The bus system is expected to lose almost \$52 billion this year and the annual deficit is projected to rise to \$86.5 million by 1980.

One option was an annual increase in subway fares, “already regarded as likely to be the world’s highest.” Such increases might be necessary, but “almost certainly will face political opposition.”

Nevertheless, Metro was “pressing ahead, with a display of determined optimism Work is underway on almost half the planned system, some of it virtually completed, and new construction contracts soon will be let.” General Graham had told the board earlier in October, “There’s no question that we’re moving relentlessly – like a giant flywheel.”

In the District of Columbia, “the skyrocketing Metro costs are adding a new burden to an already-strained city budget.” They favored a regional tax to finance construction and authority to tax nonresident commuters for the services they received in the city.

Maryland had “poured millions of dollars into the Metro system,” but was now facing shortfalls in its gasoline tax revenue in the aftermath of the energy crisis. The State also had to address “mounting financial troubles over Baltimore’s proposed rail system.” The result was that State officials warned “they are running low on funds to bail out Metro.” Maryland officials had not been convinced by Metro’s assertions that it eventually would stop losing money. Governor Mandel said, “I think there’ll be an operating deficit and I think that operating deficit will increase every year.”

Montgomery County Executive Gleason, who had served on the WMATA board, called the outlook “perilous,” if not “chaotic.” He said, “This has shaken the confidence of a lot of people.”

Virginia Governor Godwin had once called Metro a “boondoggle,” but “suburban county and city governments are so worried by its rising costs that they have asked for a delay in the start of subway service, now scheduled for January, unless the financial problems are solved.” Arlington County Manager Bert Johnson said, “I look upon these increases in cost as inevitable – and inevitable means horrendous.” The counties in northern Virginia had their own take on the situation:

Arlington County officials warn that the county already is spending more for Metrobus service and subway construction than for police. Fairfax County officials say that, while Fairfax can more easily absorb the Metro costs, they are still big, comparable to county spending for fire protection. Fairfax City officials say Metro costs are now equivalent to 20 cents on the city’s real estate tax rate and will rise to 31 cents by 1980. [Lynton, Stephen J., “Metro’s Problems Are Baffling,” *The Washington Post*, October 20, 1975]

Metro officials met with Secretary Coleman on October 23 to discuss options for addressing the financial shortfalls. After the meeting, Chairman Alexander of the WMATA board, said, he was “very optimistic” that solutions will be found.

Governor Godwin remained skeptical. He had heard estimates that Metro could cost between \$6 billion and \$7 billion and had learned of fears in northern Virginia jurisdictions about meeting their obligations for construction of rail rapid transit. He said, “For Virginia to try to bail out Metro, we can’t do that.” He added, “It would be awfully nice if we could afford it,” he said. “But it would be awfully nice for everybody in Virginia to have a turkey every day and a Cadillac.” As for operating costs as high as \$200 million a year, he said, “There is no way as

governor of Virginia that I can commit the resources of this state to a project containing such a projected deficit.”

A delegation of northern Virginia officials had met with Governor Godwin and VDHT Commissioner Fugate to request that any unspent funds for I-66, should they materialize, be spent in northern Virginia. The local officials came away with the impression that the Governor agreed to keep the funds in their jurisdictions. He even seemed to indicate some of the funds resulting from a withdrawal-substitution action might be used for Metro construction. He made clear, however, what he did not support:

I am opposed to taking the I-66 money and just flopping it over and adding it to Metro, because we have other problems there [in northern Virginia]. [Kelly, Brian, “Godwin Appears To Ease Stand On Metro Funds,” *The Washington Star*, October 24, 1975]

Although Secretary Coleman delayed submitting a plan to the White House for completing Metro, reports indicated he was considering a plan based on a cost of \$4.65 billion to complete Metro. The *Post* reported on October 24 that the plan would provide 80 percent of the funds needed to solve Metro’s problem:

It is uncertain, however, whether Coleman’s proposals will be accepted by the White House, Office of Management and Budget and Congress.

Two sources, who asked not to be identified, said this week that Coleman believes U.S. aid should be provided to finance 80 per cent, or \$2 billion, of some \$2.5 billion due in principal and interest payments on long-term Metro bonds. Local governments would be required to pay the remaining \$500 million.

A “knowledgeable source” indicated the Department “now believes that federal highway money should be used to finance all current cost overruns on construction of the planned \$4.6 billion, 98-mile Metro subway systems,” amounting to about \$1 billion. [Lynton, Stephen J., “Coleman Favors U.S. Aid to Metro,” *The Washington Post*, October 24, 1975]

One thing that Secretary Coleman and Governor Godwin agreed on was that Metro construction costs should be held to \$4.6 billion. On November 5, they met in Richmond to discuss the governor’s concerns about the financial problems. Secretary Coleman told reporters, “We have agreed that whatever happens in Metro, the \$4.6 billion should be it.” The figure, he said, included “normal inflation,” so any additional overruns could be avoided.

Earlier that day, General Graham disclosed in congressional testimony that the cost had increased by \$200 million to \$4.65 billion. [Lynton, Stephen J., “Metro Subway Cost Estimate Raised Again,” *The Washington Post*, November 6, 1975; Taaffe, William, “Guess What! Price Of Metro’s Up Again,” *The Washington Star*, November 6, 1975]

These matters were very much on Chairman Natcher’s mind as he greeted District officials on November 13, 1975, for hearings on the District of Columbia appropriations for FY 1976. Mayor Washington and Chairman Tucker as well as budget and other city officials were present, but this panel did not include a representative of WMATA or the highway agency. After

discussing other issues, Chairman Natcher, who now referred to Mayor Washington by his elected title, asked, "Mr. Mayor, can you tell me what the rapid rail transit system will cost?" Mayor Washington tried to defer an answer until WMATA could respond at a later hearing.

Undeterred, Chairman Natcher asked if Mayor Washington had "any idea, as to a guess at this time." The mayor replied that the costs were "highly speculative and there are some assumptions," but he would prefer to defer an answer. He added:

Now, Mr. Chairman, I am well advised that each year you have calculated the cost, and I must say, each year you have come closer and closer, as the costs have escalated. I might want to ask you what your current figure is.

Chairman Natcher was not at all hesitant. "I am going to tell you, Mr. Mayor, the current figure was the same that we gave you in November of last year, \$6 billion." He then launched into a long discussion of the escalating cost estimates and his warning that "you have heard me say a dozen times, you could not retire a single bond out of the fare box." His litany included newspaper articles such as a Jack Eisen article from a year earlier that began:

Representative William H. Natcher (Democrat-Ky.), whose prediction of the rising cost of building Washington's rail rapid transit system initially outraged Metro officials but later proved more accurate than theirs, has come up with a new figure: \$6 billion.

[Eisen, Jack, "Natcher Puts Metro Cost at \$5 Billion," *The Washington Post*, November 28, 1974]

After a presentation on the issue that takes up about 13 pages in the hearing record, Chairman Natcher concluded:

Again, I want to say to the Mayor of our Nation's Capital and the officials of the Washington Metropolitan Area Transit Authority that the figure of \$4.65 billion will not construct the rapid rail transit system consisting of 98 miles and the Washington Metropolitan Authority should take another look at the cost of this system and simply tell the people who will have to pay the taxes to carry this burden that this System will ultimately cost over \$5 billion and will probably go as high as \$6 billion. [District of Columbia Appropriations for 1976, Hearings before a Subcommittee of the Committee on Appropriations, U.S. House of Representatives, 94th Congress, 1st Session, Part 1, General Operating Expenses, pages 28-41]

During testimony on November 18, Richard W. Gutmann of the GAO informed the House Committee on the District that the cost of Metro construction would be at least \$4.8 billion and could be considerably more. In response to questions from reporters after the hearing, Gutmann agreed that it could possibly increase to \$6.1 billion. "I think it's possible that could happen." General Graham disagreed, saying the current estimate was \$4.65 billion, with a contingency factor of \$467 million that would increase the total estimate to \$5.1 billion. [Lynton, Stephen J., "Cost of \$6 Billion Forecast for Metro," *The Washington Post*, November 19, 1975]

On December 5, General Graham, Chairman Alexander, and other members of the WMATA board appeared before Chairman Natcher's subcommittee. Before the witness testimony began, Chairman Natcher once again went through the history of cost increases that he had predicted and introduced news reports and editorials in support of his predictive abilities.

At the end of this recitation, he recalled a letter that General Graham had sent on November 20, 1974. In it, General Graham stated that the latest estimate was \$4.454 billion. He referred to the conference at Airlie House on November 21-23, 1974, stating that area officials were gathering to consider the cost increases "with the objective of providing additional funding on a schedule that will keep construction moving at the maximum possible rate so as to minimize escalation, which in the latest estimate now amounts to \$1,856 million."

Chairman Natcher recalled that he had replied on November 21, 1974, to suggest:

General Graham, the figure of \$4,454,000,000 will not complete the 98-mile rapid rail transit system, and again I would like to urge that you and the members of the Authority take another look at the cost of this system and simply tell the people who will have to pay the taxes to carry this burden that the system will ultimately cost about \$5 billion and unless there is some change the figure could go as high as \$6 billion. [pages 1385-1386]

Speaking to General Graham, Chairman Natcher said, "I think this would be a good time to tell us whether there is an estimate of an increase in cost since your letter to me of November 20, 1974."

General Graham introduced his prepared statement, which described the progress of Metro, current activities, and plans for the next year. As for the total cost, his statement indicated the current estimate was \$4,650.7 million.

Regarding the Interstate transfer plan, he said that the escalated value of withdrawn routes thus far was \$592.1 million:

Of this, \$286.6 has been approved by the Urban Mass Transportation Administration for construction purposes in fiscal 1976. A second increment is being processed and discussed with UMTA prior to submission to the District of Columbia government in the escalated amount of \$305.5 million. These highway funds totaling \$592.1 million matched by local funds of \$147.9 million, together with Federal and local matching grants of \$102 million would produce a total funding of \$842 million in fiscal 1976. However, approximately \$697 [million] of this total will be committed during 1976 with the remainder of \$145 million applied to the fiscal 1977 construction program.

General Graham testified briefly about the status of work before the day's hearing ended for the weekend. [pages 1354-1369]

When the hearings resumed on Monday, December 8, General Graham responded to Chairman Natcher's discussion of cost increases on December 5:

You put your evaluation on the matter and there is no doubt you have shown a great ability at crystal balling our costs. I don't know how you achieved this; how you foresaw the inflation of 1973 followed by the stagflation of 1974, but in any case, we recognize your record of prediction.

As for WMATA's year-old estimate of \$4.5 billion, General Graham pointed out numerous changes that had occurred since then resulting in the new estimate of \$4.650 billion. He said, for example, "At the time we made the \$4.5 billion estimate, we were thinking a decision would be made on I-66." That decision, which would affect the cost of constructing Metro whether the highway was built or not, was still pending. Another delay affecting the estimate was occurring because of location issues on the Branch Avenue line, relating to its terminus, and the Greenbelt route, relating to the location change approved on July 28, 1975. He said, "it looked as though we could proceed into final design, hearings had been held, but that was not to be":

We are hopeful by July of 1976 there will be some decision as to a road in that corridor, I-66. We have added 18 months of delay to that estimate. We have added 18 months of delay for the Branch Avenue and Greenbelt routes.

General Graham pointed out that other major projects also experienced significant increases, including the Interstate System. He cited a statement by Administrator Tiemann, who said that even with 87 percent of the Interstate System open, 30 percent of the estimated total cost remained to be funded. Tiemann had added, "And this does not take into account the effects of the last 21 months' inflation," which could mean that about 37.6 percent of the cost was unfunded.

He concluded his testimony by promising:

We will continue to try to give you the most accurate financial estimate for the Metro System. We feel we owe the Congress and the local governments that consideration so they can fix their planning. But it is extremely difficult to look ahead.

Chairman Natcher had only a few comments and questions for General Graham, beginning with:

I hope that is a firm figure and we will be able to complete this system. As you have heard me say at other times, I think it is going to cost \$6 billion. I hope I am wrong.
[pages 1375-1397]

Perhaps the lack of aggressive questioning was the result of General Graham's decision, announced on December 4, to step down as General Manager. Professor Schrag discussed the reasons:

Jackson Graham saw his job falling apart. He was disgusted by any suggestion of studying alternatives to the complete system, arguing that a truncated system could never lure commuters out of their cars, and that additional studies would only delay construction in some counties, which would then envy their more decisive neighbors. He was frustrated with his deteriorating ability to control WMATA's fractious board, which

was forming executive committees to steal some of his power. He was dismayed that President Ford was less supportive than his predecessors. He was sixty.

He had assembled an excellent staff and held them together through all the controversies afflicting rail construction and operation of the bus system:

He had gotten the first, and more difficult, half of the system under construction and brought the first 4.6-mile segment to where only a lack of working rail cars stood between it and operation. He had brought Metro within sight of the Promised Land and was ready to leave it at that. [Schrag, pages 183-184]

He had submitted his resignation to the board on Thanksgiving Day 1975, but did not announce his decision until December 4, attributing his decision to “personal reasons.” The *Post* quoted a rhyming comment in his Thanksgiving letter of resignation: “My quest after some rest and fest is to test a nest in the West.”

In discussing his decision, he “hinted yesterday that the timing of his announcement was partly linked to the skyrocketing subway costs.” He said he hoped his retirement would help Metro win additional congressional support.

His departure, set for January 31, 1976, prompted WMATA to launch “a worldwide scramble – and I mean worldwide” to find his replacement, according to WMATA spokesman Pfanstiehl. [Lynton, Stephen J., and Klaidman, Stephen, “Graham Quits Subway Post,” *The Washington Post*, December 5, 1975]

Now, after the brief questioning on December 8, Chairman Natcher concluded:

I have no further questions, but before yielding to Mr. Young, I want you to know, General Graham, that all through the years it has been a pleasure dealing with you. You have established an outstanding record not only in the Corps of Engineers but as a man. It has been a pleasure dealing with you, and being just as frank as I can be, I am sorry to see you retire and leave the Authority. [page 1398]

The Fading Freeways

On May 7, 1975, U.S. District Judge Gasch had ruled that the District of Columbia must pay \$350,000 to Head Construction for its work on the Three Sisters Bridge before the stop-work order. The payment included reimbursement for work completed before the order, interest on that amount while the suit was pending, and \$106,000 in possible profits the company lost because it was unable to complete the contract.

The District had disputed the claims for work done and the company’s “anticipated profits”:

Judge Gasch rejected the claim that the city was not liable for the lost future profits, saying the city “knew full well that there was controversy surrounding the Three Sisters bridge. It knew that pressure had been exerted upon the District of Columbia City Council to concur in the building of the bridge.

“It knew that the bridge had already been the subject of litigation seeking an injunction. Yet it went forward with this contract without making any specific provision” that future legal action might halt the project.

Since the delay resulted from the failure of the U.S. Department of Transportation to follow its procedures, Judge Gasch anticipated that the Federal Government would pay 90 percent of the award, as it would have paid for construction of the bridge. [Robinson, Timothy S., “Court Tells District to Pay for Bridge,” *The Washington Post*, May 8, 1975]

With that action, the Three Sisters Bridge was, in effect, dead.

On December 18, Acting Director Schneider, Acting Deputy Director O’Donnell, and other transportation officials appeared before the subcommittee. Chairman Natcher pointed out his longstanding support for a balanced transportation system in the District that included freeways and rapid rail transit. He reminded Schneider of the prediction that the cost of Metro would go to \$6 billion and said of the freeway network:

Nearly all of the freeway projects that you people in the District government – I would say the people in the District government at the time the Interstate Highway System was developed – asked for have been stricken. Nearly all of them are no longer in the program. They did not get underway, and are not even being considered for construction . . . You only have one project under the original freeway system underway.

Schneider confirmed that only the Center Leg was actively being worked on.

Chairman Natcher asked for the status of freeways in the District. Schneider replied:

Mr. Chairman, the I-70-S and I-95 connections from Maryland, the North Central Freeway and the Northeast Freeway have been deleted. The Secretary of Transportation took the action to take those off the system in October. The District’s Federal entitlement amounting to \$286,000 [sic] has been transferred to Metro, which is the money Metro is using to keep construction going from last June, or July, when their money ran out. We also requested that the K Street tunnel be deleted . . . because – there are a number of reasons. One is it would have a very disruptive effect on the businesses along the alinement.

He continued his status report:

Three Sisters Bridge

Now the Three Sisters Bridge . . . no longer has a connection, even if they are going to build something in the I-66 corridor. The latest word is if there is going to be a road in there at all, it is going to be less than full freeway standards. In any case, the plan apparently no longer contemplates the spur to the Three Sisters Bridge.

That indicates to us that the Three Sisters Bridge is no longer necessary and we probably will want to take the position that that ought to be deleted.

Potomac River Freeway

The Virginia situation also has affected the Potomac River Freeway, I-66.

That is the one that would connect from the Three Sisters Bridge down to the south leg. That was planned to be an eight-lane tunnel. We have been talking about reducing that to a four-lane tunnel because of the fact that it no longer would connect to the Three Sisters Bridge and it would not serve the same kind of traffic demand. We have been even considering that perhaps a tunnel would not be a wise choice. That is because while the tunnel takes the traffic away from sight, it is a very, very expensive matter to maintain.

Center Leg Freeway

The center leg is costing us something in the neighborhood of a million dollars a year for maintenance. I think in these days of austerity that that is probably something we had better take a very close look at, because we would have that maintenance problem in perpetuity. That is one of the reasons we thought the K Street tunnel was no longer well advised, again another \$1 million annual cost possibly.

South and East Leg Freeways

The south leg has been tabled because, while we were preparing to go ahead with the construction on that, it was felt it would cause a disruption during the Bicentennial, in a very sensitive spot for the Bicentennial visitors. So that was shelved.

The east leg and the south leg are under review at the moment but not under very active review. Within the new Department of Transportation, we are still in the process of getting our priorities organized. I expect that we will have a full-fledged review of the south leg and of both sections of the east leg for purposes of determining their need and whether or not we ought to build full freeways in those corridors.

Industrial Freeway

Now, we have also suggested to the City Council that the Industrial Freeway, which is not now on the system, is on our local plan for highways and streets, but it is not on the interstate system. We have suggested that it be put on the interstate system for purposes of preserving the entitlement to Federal funds it would cost as a freeway. However, we don't expect a full freeway in that corridor is going to be either necessary or called for.

Our main problem, as we see it there, is to furnish a facility for rapid movement of mass transit vehicles – in this case it would be buses – and also trucks.

That corridor out there is the prime candidate for redevelopment as an industrial park, for light industrial use. It is our feeling that we ought to try to provide some priority access for trucks into that facility so that industrial users will be attracted to the area.

We want to try to provide an advantage for moving goods in and out. We are talking about not really an industrial freeway, but a busway, truckway kind of facility and perhaps an upgrading of New York Avenue to better accommodate the automobile traffic. So I guess my answer to the question is that in general we are reviewing the whole situation to see where our special needs are, where we are going to need freeway facilities, where we are going to need something less than that and how it all fits in with the emerging Metro system.

Questioning moved on to other aspects of the new department's general needs, but near the end of the session, Representative Claire W. Burgener (R-Ca.) asked if the route west of the Rayburn House Office Building was I-95. Schneider confirmed that it was and elaborated on the city's plans:

The original [plan] was designed to tie into the freeway system that would come down the north central and northeast, which have been deleted; then another section of the so-called north leg which has not been constructed. I think ultimately that center leg will be tied into this industrial freeway corridor that we are talking about, not a freeway, but some kind of a specialized roadway for buses and trucks and some automobiles; it will tie into the complex but probably not to another freeway. [District of Columbia Appropriations for 1976, Part 2, pages 976-1030]

By then, Maryland, Virginia, and the District of Columbia had agreed on a series of Interstate changes to provide connectivity within the metropolitan area despite the absence of planned freeways:

- Eliminated I-70S from its terminus at the intersection of I-95 in the District to the intersection of the Capital Beltway (I-495) in Maryland.
- Eliminated I-95 as an Interstate route from the intersection of I-295 in the District to the intersection with the Capital Beltway in Maryland.
- Redesignated I-95 as I-395 from the intersection of the Capital Beltway in Virginia to the intersection of I-295 in the District.
- Relocated I-95 onto the Capital Beltway from the intersection of I-95 and I-495 in Virginia, then northeasterly along the eastern portion of I-495 to the intersection of I-95 and the Capital Beltway in Maryland.

At Maryland's request, U.S. 50 from the Capital Beltway to Annapolis was designated I-68 (this number would later be shifted to the National Freeway from Cumberland, Maryland, to Morgantown, West Virginia; U.S. 50 was redesignated I-595, although Maryland does not display the Interstate number).

These changes provided an imperfect connection for I-95 traffic. Northbound and southbound traffic on I-95 could remain on the East Coast's main street by looping through interchanges with the Capital Beltway in Maryland and Virginia that were not designed for the traffic. In coming decades, Maryland and Virginia officials would periodically reconstruct the interchanges to handle the traffic more efficiently. The problems were especially acute in Virginia where the

interchange of I-95, I-395, and I-495, known as the Mixing Bowl, had to sort streams of Interstate traffic, traffic using high occupancy vehicle lanes, and traffic bound for local destinations.

Links between I-95 and the District were more problematic. In Virginia, renumbered I-395 (still part of the Shirley Highway) within the Capital Beltway provided an easy route into and out of the city. However, I-395 was a spur in the city that would eventually end on New York Avenue without a freeway connection to northern areas of the city. From Maryland, motorists could enter the city by exiting the I-95/I-495/Capital Beltway onto the Baltimore-Washington Parkway. The parkway ends where motorists had a choice of using New York Avenue to reach I-395 in the city or congested District Route 295 leading to I-295 east of the Anacostia River, with interchanges into the city. New York Avenue took motorists into the city on a congested roadway; the Industrial Highway conceived by city planners was never built to divert bus and truck traffic from the avenue. Neither option was ideal, even with subsequent upgrades to New York Avenue and Route 295, but they have had to suffice ever since.

On December 29, 1976, Mayor Washington asked Secretary Coleman to withdraw the Three Sisters Bridge (I-266) over the Potomac River to the Virginia State line and the I-66 K Street Tunnel between I-266 and I-395. The two routes totaled 2.5 miles. Mayor Washington said the request was based on future Metro rail capabilities. FHWA Administrator William M. Cox and UMTA Administrator Charles F. Bingham approved the request to withdraw these routes from the Interstate System on April 29, 1977.

This withdrawal released \$392 million for substitute projects. About \$344 million was to be used for Metro construction, with the balance going to other road and bridge improvements in the city. In reporting this information, the *Post's* Douglas B. Feaver used a phrase he had used a few years earlier:

The Three Sisters Bridge, a once locally famous proposed Interstate highway project . . . was killed the third or fourth time yesterday. This time it looks unusually permanent.

Announcement of the death of a project that had long-since been regarded as abandoned by highway officials came from Mayor Walter E. Washington. [Feaver, Douglas B., "Three Sisters Highway Project Is Killed – Again," *The Washington Post*, May 13, 1977]

This time, the phrase "unusually permanent" was accurate. I-266 and the Three Sister Bridge were dead.

On August 7, 1978, Mayor Washington asked Secretary of Transportation Brock Adams to withdraw portions of the East Leg (I-295) and North Leg (I-395) freeways, a total of 4.7 miles. Mayor Washington's letter explained that the change to I-295 would leave a gap that the city had not yet decided how to close:

The withdrawal of the upper section of the East Leg Freeway likewise will not interfere with the connectivity of the Interstate System. It remains for us, however, to determine which of several options we will implement to provide a permanent terminus of I-295. A

connection, for example, of I-295 with Kenilworth avenue would close a gap in our existing expressway network and provide for a logical terminus of I-295.

FHWA Administrator Karl S. Bowers and UMTA Administrator Richard S. Page approved the request on September 8, 1978.

On December 19, 1979, the TPB essentially killed the Potomac River Freeway in Georgetown and the South Leg Freeway in front of the Lincoln Memorial across the Tidal Basin to a connection with the Southwest Freeway (I-395). The *Star* pointed out that:

The fate of the proposed highways, which had been debated for almost two decades, was resolved in less than two minutes by the Metropolitan Washington Council of Government's Transportation Planning Board. It voted unanimously against building the roads.

The formal burial will come next year when the D.C. City Council and the mayor officially request that the \$550 million set aside by the federal government to build the two roads be used for Metrorail construction.

Director Schneider said a recent restudy showed "major new highway capacity is not necessary" in the two corridors. (The *Star* added that these days, "The District has an avowed anti-automobile and pro-transit policy.")

The assistant director, James E. Clark, said of the TPB's vote that, "It's a very clear indication that there won't be any more freeway construction in the city." He anticipated that the substitution funds "will put Metro on a firm financial footing for several more years, construction-wise." [Crosby, Thomas, "D.C. Kills 2 Highway Proposals," *The Washington Star*, December 20, 1979]

The District's second elected leader, Mayor Marion S. Barry requested the withdrawal of a

1.7-mile segment of the South Leg Freeway portion of I-695 between I-66 and I-395 on April 30, 1980. On August 27, 1980, FHWA Administrator John S. Hassell and UMTA Deputy Administrator Lillian C. Liburdi approved Mayor Barry's request.

These actions left a few very short Interstate segments to be withdrawn. On January 27, 1982,

Mayor Barry acted to withdraw the westerly 0.6-segment of I-266/Potomac River Freeway between the planned Three Sisters Bridge terminus and I-66/Key Bridge. FHWA Administrator Ray A. Barnhart and UMTA Administrator Arthur E. Teele approved the withdrawal on June 28, 1982.

Mayor Barry proposed withdrawing the final segments of the Interstate System on May 19, 1983, namely the remaining .52-mile segment of I-266 and a .25-mile segment of I-66 within the interchange area of I-66 and I-266. On August 19, 1983, Administrator Barnhart and Acting UMTA Administrator G. Kent Woodman approved the withdrawal.

Overall, the estimated base value at the time of withdrawal for the District's freeways was nearly \$2.197 billion, with \$1.963 billion going to transit projects.

With these withdrawals, the District of Columbia's designated Interstate network was 13.71 miles long consisting of:

I-66 – 1.48 miles

I-95 – 0.11 miles (the portion of the original Woodrow Wilson Memorial Bridge on the Capital Beltway crossing the southern tip of the District of Columbia across the Potomac River)

I-295 – 7.25 miles

I-395 – 3.48 miles

I-695 – 1.39 miles.

Completing the Center Leg Freeway

One of the city's main remaining Interstate actions was to complete the Center Leg segment of

I-395 between its terminus at Massachusetts Avenue and New York Avenue. The city had completed the segment to Massachusetts Avenue in 1973. Work on the extension came to an end due to runaway inflation in 1978 when the District ran out of funds to install lights in the tunnel, put tiles on the walls, and pave the road with asphalt. The Center Leg tunnel extension gained the nicknames "Highway to Nowhere" and "The Pit."

Unable to complete the segment, the District used it as a parking lot for city employees. Half of the tunnel was allocated to NPS as parking for tour buses that were banned around the same time from Pennsylvania Avenue near the Capitol and White House. The *Post* described the situation in 1982:

The other half of the tunnel, with space for more than 100 passenger cars, also is fenced off with an "Authorized Personnel Only" sign. Here, employes [sic] from the parking bureau two blocks away pull past the gate in their blue and white patrol cars – or are dropped off by coworkers – each afternoon to exchange the vehicles for their own cars, which they park there for free in the morning

Located near the closed road are police headquarters, the courts and many other local and federal government offices. For many people who work there, every delay in transforming The Pit into the highway is a blessing.

By anyone's measure, the parking fee is practically a gift: 25 cents for three hours, the only such long-term rate in the downtown area. But a count this week showed that more than half the 200 parking meters originally installed on the six-lane lot are missing. [Bruske, Ed, "D.C. Freeway to Nowhere: Free Parking," *The Washington Post*, April 10, 1982]

The District revived the Center Leg project in 1984 with \$6.5 million in city and Federal-aid funds. The Federal-aid funds had long been available, but the city had not set aside its \$650,000

share. The city planned to open the tunnel in April 1986, but “it was delayed in part because a water pipe burst last winter, heavily damaging electrical equipment needed to operate tunnel lights and exhaust fans,” as the *Post* explained.

By December 1986, the asphalt pavement was in place and white ceramic tiles had been installed. Work on the light fixtures and ceiling panels was underway:

On top of the tunnel, a long-planned housing project is rising. The \$9 million, eight-story structure, sponsored by Mount Carmel Baptist Church, is to include 133 apartments, some of them available to low-income families at federalized subsidized rates.

The [housing] project is due to open in June. [Lynton, Stephen J., “After 8-Year Wait, Last Segment of Center Leg Freeway Nears Completion,” *The Washington Post*, December 10, 1986]

On December 15, 1986, the city opened the southbound tunnel between Massachusetts Avenue and New York Avenue at 11 a.m. Southbound motorists would no longer have to turn left from New York Avenue to take Fourth Street, NW., to the open Center Leg segment – passing the entrance ramp to the Highway to Nowhere. [Baker, Peter, “Center Leg of I-395 No Longer ‘Highway to Nowhere,’” *The Washington Times*, December 15, 1986]

The northbound lanes opened on February 7, 1987, completing the \$36.5 million project. The city planned to remove the barriers in the morning, allowing several hours for workers to paint new pavement markings. The city did not hold a ceremony to open the tunnel. [Lancaster, John, “D.C. Freeway Stretch Will Open Today,” *The Washington Post*, February 7, 1987]

The Death of I-66

In September 1974, FHWA had asked the VDHT to “further ameliorate” the adverse impacts of I-66, particularly the 10-story section, on the local community. FHWA also wanted the State to reduce the number of lanes to six (from eight) and prohibit trucks from I-66 between the Capital Beltway and the Theodore Roosevelt Bridge.

According to Rex Wells, chief of FHWA’s Environmental Development Division, FHWA would approve I-66 if the State redesigned the freeway in accordance with the three objections. He predicted that the redesign would take between 6 months and a year. One question to be studied was how diverted traffic would affect parallel U.S. Routes 50 and 29/211.

The trade association for truckers, the Virginia Highway User’s Association, strongly objected to the truck restriction. Executive Vice President E. H. Williams said, “The trucking industry pays more than its fair share of taxes to support the interstate system, and no one should prohibit their use on an interstate highways.”

He questioned whether such a restriction was legal for the Interstate System and if any other Interstate segment had such a restriction. According to FHWA, the restriction would be legal if

truck traffic could use a parallel route. Such a restriction had been approved for I-680 near Berkeley, California.

Emilia Govan told reporters that FHWA's request for the modifications "has demolished the proponents' own justification for the highway." In her view, the changes meant that I-66 would no longer provide one of its supposed benefits, namely reducing commuter traffic on local streets. [Shaffer, Ron, "Suggestion of Limiting I-66 to Cars Angers Truckers," *The Washington Post*, September 21, 1974]

On September 25, 1974, TPB voted to remove I-66 inside the Capital Beltway from the regional transportation plan. The board voted to remove I-66 despite testimony by VDH Deputy Commissioner Harwood that failure to construct the freeway would increase the cost of Metro by \$50-54 million. Arlington County Board member Munsey said those figures were "fanciful – no one knows what those costs might be." Any additional cost for Metro could be met by transferring funds via the withdrawal-substitution provision from I-66 to Metro. The remaining substitution funds could be used for an expanded bus system and other mass transit improvements that would get commuters between the Capital Beltway and Washington just as fast.

Harwood pointed out that if Secretary Brinegar approved withdrawal of I-66, the substitution funds would be used mainly on other Interstate highways in Virginia, such as completion of I-264 and I-664 in the Tidewater area.

TPB Member Lee M. Rhoads of Falls Church said, "That sounds like a threat to me." Citing the State motto ("Sic Semper Tyrannis," Latin for "Thus Always to Tyrants"), he told Harwood, "We will not be stepped on . . . the people will make this decision." Harwood replied that he was not making a threat, but simply describing the situation.

Munsey did not think Governor Godwin would react in a punitive way, as if to say "Sorry, boys, you did not let us have our road and therefore we're not going to do anything about meeting the transportation needs of Northern Virginia." The vote, in essence, formalized the TPB's February 1974 "expression of sentiment" against the highway. However, Munsey could not guarantee the result would be what those voting for the measure wanted. "It's not a package deal Given the fact, as everyone in this room knows well, that we're having some trouble paying for our current Metro commitments, there is some doubt that the transit elements of that package would ever be built."

Metro Deputy General Manager Quenstedt told TPB, "Have courage, gentleman. We're going to build it, if it should be built. Have faith."

Actually, no one was sure what the action would mean. The TPB could not request withdrawal of I-66; under the law such a request would have to come from Governor Godwin, a strong I-66 supporter. He also would determine what to do with the substitution funds. At the least, Munsey argued, the vote would at least strengthen the position of I-66 opponents. In any event, "Laws say what the courts say they mean, when you're all done." [Shaffer, Ron, "COG Board Votes to Remove I-66 From Region Transportation Plan," *The Washington Post*, September 26, 1974;

Kast, Sheilah, "On-Again, Off-Again I-66 Now Off of COG's List," *The Washington Star-News*, September 26, 1974]

The District of Columbia's representatives had voted with the majority to remove I-66 from the regional plan. Mayor Washington said he supported their action.

Meanwhile, Delegate Fauntroy wrote to Secretary Brinegar to urge rejection of I-66 to "protect the environment and the welfare" of the city. Construction of I-66 inside the Capital Beltway would "lead to an intolerable level of traffic on our streets and bridges." It also would "ruin our scenic parkland and seriously increase air pollution in the District of Columbia." [Shaffer, Ron, "Fauntroy Urges I-66 Rejection," *The Washington Post*, September 27, 1974]

Fearing Federal rejection, State highway officials developed a "fallback" strategy of building I-66 as a toll road without Federal funds. State Senator Omer L. Hirst of Fairfax County prepared a bill for that purpose for consideration in the 2-month 1975 session of the General Assembly. Because the General Assembly had demonstrated support for I-66, he predicted "no problem with the General Assembly. I feel they will pass this bill." Anti-I-66 Delegate Melnick of Arlington feared his colleague might be right. "A lot of people [in the General Assembly] are prohighway," he said. "If a bill came up to pave over Northern Virginia it would probably pass."

Senator Hirst said he prepared the bill, in part, with Metro in mind. If I-66 were not built, Metro would have to acquire its own right-of-way through Arlington County, relocate utility lines, and pay for grade separation structures with cross roads. The cost, he said, was "incalculable at this time but obviously it is a very substantial sum of money." Virginia highway officials acknowledged on December 19, 1974, that they had refused to review Metro's design plans between East Falls Church and Vienna in the absence of a decision on I-66.

Munsey objected, arguing that Hirst's bill was "an attempt to subvert the normal transportation planning process and federal environmental impact requirements." James Govan called the bill "a Gestapo-like tactic." Hirst countered, "I'm sure some people will read sinister things into this bill, but it is simple: Let's build the road with state funds if we can't with federal ones, but let's build it." [Crosby, Thomas, "Virginia May Build I-66 As Toll Road Without U.S.," *The Washington Star-News*, December 20, 1974; Shaffer, Ron, "Arlington Toll Road Urged," *The Washington Post*, November 22, 1974]

VDHT submitted its new design to FHWA in late November. "We've done what they've asked us to do," Harwood told reporters." The *Post* described the redesigned facility:

Under the new design, a slight shift southward in the highway right-of-way, a response to the elimination of the double-deck segment along Spout Run Parkway, would require the destruction of a four-story building in the Ancient Oaks complex at 2515 n. 20th Rd.

This would force the relocation of about 150 people, mostly moderate-income families, according to the new design study.

Munsey's immediate reaction was that, "We don't need to lose any more moderate-income housing in Arlington; we have moderate-income people who need to be housed."

Emilia Govan called the new design “a last resort. And it’s still unacceptable.” [Shaffer, Ron, “Modified I-66 Design Razes Apartment, Eliminates Deck,” *The Washington Post*, November 30, 1974]

In early 1975, Delegate Melnick revealed that he had discovered a flaw in the toll plan. The Interstate withdrawal-substitution provision of the Federal-Aid Highway Act of 1973 included a condition requiring the Governor and cosigned to commit not to build a toll road in the corridor. If the State attempted to build the route as a toll road, it would lose up to \$180 million in Federal-aid Interstate funds, and not receive the substitution funds for other purposes. Delegate Melnick wrote to inform Governor Godwin of this loss. [Flor, Lee, “Va. Warned on I-66 Plan,” *The Washington Star-News*, January 4, 1975]

On January 29, Senator Hirst withdrew his bill authorizing a toll road in the I-66 corridor. He said he did so because he found that Virginia already had the authority to build the toll road. [Kelly, Brian, “Va. Senate Oks No-Fault; Toll Road Bill Withdrawn,” *The Washington Star-News*, January 30, 1975]

As noted, the delay while officials awaited Federal action on the new I-66 design also held up VDHT’s review of Metro’s design for use of the median. In the meantime, the delay was costing WMATA an estimated \$37,500 a day or \$13.5 million a year. The *Star* explained the basis for this calculation:

The money problem arises because both Metro and the Virginia Department of Highways felt that work on I-66 would begin on Dec. 15. Metro then calculated this date into its construction schedule and because of the delay it is expected that service to Metrorail stations at East Falls Church, West Falls Church, Dunn Loring and Vienna will not begin before 1980.

According to General Manager Jackson Graham, Metrorail plans will have to be “put on the shelf” until a final decision is made on I-66.

Further complicating the picture is a study ordered by the Fairfax County Board of Supervisors not to build in the I-66 corridor but instead divert the Metrorail line to the Tyson’s Corner area. If such a shift eventually is approved, it could save Metro money because of the mounting costs caused by the delay in the I-66 decision.

The board voted to send a telegram to Secretary Coleman, who was just about to take office, to alert him to the issue.

Arlington County Board member Munsey saw VDHT’s delay in reviewing the Metro design as continued “blackmailing” to get I-66 approved. VDHT, he said, was “using every bit of leverage they can to get this road approved.” [Crosby, Thomas, “Va. Delay Costing Metro a Bundle,” *The Washington Star*, March 7, 1975]

(Beginning February 21, 1975, the newspaper was renamed *The Washington Star and Daily News*, with *The Washington Star* its main banner.)

On March 17, 1975, President Ford was in South Bend, Indiana, in part to discuss the country's energy needs. He met with a group of Governors, including Governor Godwin. According to an account by Fred Barnes:

Godwin, a strong supporter of I-66, complained to Ford about environmental concerns that have held up construction of the road for years. In particular, Godwin said the Transportation Department was tardy in filing its final environmental statement.

Ford responded that he had supported the building of I-66 when he was a member of Congress. He voted to construct the Three Sisters Bridge across the Potomac River near Georgetown, but the President made no offer to take any steps in favor of I-66 now.

Later that month, the White House clarified that while the President favored construction of I-66, he would leave the decision to Secretary Coleman. Press Secretary Ronald Nessen said, "The President is just going to stay out of the whole thing. It is a matter that belongs in the Department of Transportation." [Barnes, Fred, "Ford to Keep Out of Ruling on I-66," *The Washington Star*, March 31, 1975]

In late May, Secretary Coleman announced he would hold a hearing on I-66 on June 21. It would be a 4-hour hearing. During the first hour, he would hear from elected officials who favor I-66 while elected officials opposing I-66 would speak during the second hour. After a half-hour intermission, he would hear from project supporters during the third hour and from opponents in the final hour. According to the *Star*:

Speakers are to be limited to 10 minutes each. If each group cannot agree on who will speak, Coleman said, names will be drawn from a hat. He said the first six drawn will be heard with the rest submitting written comments.

Reaction to the planned hearing was negative. James Govan of ACT said, "We have a gut reaction that anything with the title (public hearing) should be open to one and all." Representative Harris, who favored I-66, said, "That's no way to run a hearing."

Representative Fisher, an opponent, said, "People don't like to be put in a hat and be drawn out." The format would not "allow for a meaningful dialogue." He also pointed out that he been trying for a month to get a meeting with Secretary Coleman to discuss the issues. Secretary Coleman explained that such requests were why he decided on a public hearing:

Starting about a month ago I began to get telegrams, calls and letters from elected officials and private citizens, each of whom wanted to come in and talk to me . . . I didn't know when I could cut it off.

He also was concerned about the appearance of spending more time with either faction.

As for the format, he was thinking like the attorney he was. He said the format was fair because "the Supreme Court of the United States can have the most difficult case and they don't hear more than an hour or two hours" of testimony. If the hearing did not work, "I'm going to try some other method before I make decisions to see if I can't get people involved." [Crosby,

Thomas, "Sec. Coleman to Hold I-66 Hearing June 21," *The Washington Star*, May 31, 1975; Stone, Sue, "Still Another I-66 Hearing," *Fairfax Journal*, May 29, 1975]

Secretary Coleman held the hearing in the Departmental Auditorium at 1301 Constitution Avenue. He told the audience of about 300 that in addition to this hearing, he would accept written statements until June 28 and legal position papers until July 10. He would decide the fate of the proposed 10-mile segment of I-66 by August 1. He emphasized that although President Ford had recently asked him to find \$1.5 billion to complete Metro construction, his decision on I-66 would not be influenced by Metro's financial problems. "It's a separate decision and I want it not to be affected by (the fact that) the deletion of I-66 could be a source of money for Metro."

The *Post* reported:

The hearing yesterday brought out some 60 speakers about evenly divided between pro- and anti-highway stands. Sitting alone on stage in a high-back chair flanked by a map of the proposed I-66 route[,] Coleman questioned the speakers[,] instructing their spirited supporters that he came "to gather information first hand not to listen to applause."

. . . Coleman asked supporters and opponents to supply information on whether the Theodore Roosevelt Bridge was built on the assumption that I-66 would be constructed, whether that bridge could handle the traffic generated by I-66, whether local government can legally override planning decisions made by previous local governing bodies, and what effect the highway would have on the District.

Governor Godwin told Secretary Coleman, "I am convinced beyond all doubt that we must complete this highway." Citing its value for access to Dulles International Airport and western Virginia, he added, "If we had to wait for everyone to agree on every highway project we wouldn't have gotten so much built over the years." As for the withdrawal-substitution option, he said he would find it "extremely difficult . . . to take the position that the funds earmarked for this project should be diverted to mass transit." He said he was more likely to transfer the Interstate funds to routes in the Tidewater area.

State Senator Hirst said that State and Federal airport authorities had told him the route was needed to shift long-distance flights from Washington National Airport to Dulles International Airport.

Munsey of the Arlington County Board told him that, "Because of congestion in rush hour I-66 would be no improvement."

District Councilwoman Shackleton said, "We have reached the saturation point; our streets and parking lots are clogged, our air is foul, our lungs and our skin are burning and still the flood rolls in every morning unabated." All the District connections with I-66 beyond the Theodore Roosevelt Bridge were "in limbo." As a result, "for all practical purposes, I-66 would become one huge parking lot."

Representative Fisher said that 16 years earlier, "highway building was unquestioned; new ribbons of concrete were viewed as solutions to transportation problems." That view was no

longer valid. He said “we have learned” that highways cause problems such as air and noise pollution and the waste of gasoline.

The Reverend Jerry Moore said he was heading a drive to transfer the District’s remaining Interstate funds to Metro. He was “deeply disturbed” that Virginia “continues to ignore this option and to push a transportation facility that will encourage more, rather than less, automobiles.”

Harrison Mann, chairman of Citizens for I-66, pointed out that I-66 had been approved many times over the years. It should not be rejected now by “no-growth people, extreme environmentalists, and ‘automobile-is-outmoded’ enthusiasts.” He complained, “They would have us plow up our existing highways and plant them in daisies.”

Norman Worthington, executive director of the Arlington Chamber of Commerce, suggested that much of the I-66 traffic would be headed toward jobs in Rosslyn and Crystal City, not Washington.

WMATA Chairman Alexander told Secretary Coleman that if I-66 were not built, building Metro in the corridor would cost between \$50 and \$100 million more. However, State Senator Clive L. DuVal II indicated that an amendment to State law would allow WMATA to use the abandoned right-of-way without it being offered back to the previous owners.

Speakers differed on whether the public supported I-66. Several pro-I-66 speakers referred to the polls showing that 70-80 percent of northern Virginia residents supported the highway, but Emilia Govan pointed out that those polls were “open to various interpretations.” Referring to the U.S. Court of Appeals ruling in ACT’s suit, she described I-66 as “an idea whose time has passed.”

Secretary Coleman, a newcomer to the area who had only recently stopped driving from his rented home in McLean to Philadelphia on weekends, needed the map behind him because he had little knowledge of the geography of northern Virginia. The *Star* reported that, “Local Virginia officials spent part of yesterday’s five-hour hearing . . . coaching Secretary William T. Coleman Jr. about points of interest in Northern Virginia.” At one point, he asked, “Springfield, that’s on I-66, isn’t it?” No, Fairfax County Supervisor Herrity told him, “it’s on I-95,” adding that Springfield was where all the traffic that would use I-66 goes instead to connect with I-95. Fairfax City Manager Nathaniel Young needed several minutes to direct Secretary Coleman’s eye to the city’s place on the map (“No, in farther, sir, where Route 50 crosses 236”). Fairfax County Supervisor Martha V. Pennino, after helping Secretary Coleman find Centreville, said, “We welcome you to come anytime and ride with the commuters to the bottleneck at the Beltway and I-66.”)

The *Post* concluded its article:

Coleman, who ran the heavily guarded auditorium like a courtroom, commented little, except to say that he was “utterly impressed” with both speakers and audience. The difference between hearing their arguments and reading the “massive record” on his desk

“is the difference between night and day.” [Shaffer, Ron, “I-66 Completion Decision Set by Coleman for Aug. 1,” *The Washington Post*, June 22, 1975; Kast, Sheilah, “Coleman Comes to Grips With I-66 Problem – Just Where Is It?” *The Washington Star*, June 22, 1975]

By mid-July, a dispute had erupted over what would happen to right-of-way acquired for I-66 if the highway were not built. In legal briefs filed with Secretary Coleman in anticipation of his decision, Virginia Attorney General Andrew P. Miller said the State would have to sell the property, including property acquired for construction of Metro, back to the original owners.

Latto, the project opponents’ attorney, challenged Miller’s opinion. The *Post* explained:

Miller’s opinion appears to step up state government pressure for the road by making the six-mile Metro segment a legal hostage of the expressway. Much of the right of way for I-66 was acquired by the state Highway and Transportation Department before 1965 and 84 per cent had been acquired by the time work on the road was enjoined in 1971.

The rights of way would be sold back to their former owners for the original acquisition prices. The price Metro would then have to pay to buy the land for transit purposes would be much higher since the owners could take advantage of higher current market prices.

“There is no question but that this puts pressure on Mr. Coleman,” Metro spokesman Cody Pfanstiehl said in a telephone interview. “There is no doubt that it would cost us more money and create a long delay if we had to reacquire the right of way.”

Latto, however, did not think the resale issue was a “particularly important problem” because “it is clear that this won’t be necessary”

Miller and Latto cited identical sections of Virginia law in reaching opposite conclusions about what the law says on resale of land acquired for joint highway-transit purposes.

In general, State law allowed a State agency to hold land intended for highway use for 15 years (not counting litigation delays) before it must be resold, without interest, to any original owner who asks for return of the property. However, State legislation in 1973 (the amendment DuVal had cited) approved Metro’s use of the I-66 right-of-way if “construction of rapid transit shall conform with highway plans and that construction procedures shall be reviewed and approved by the state highway commissioner.”

Miller argued that, “The entire statute contemplates the existence of a highway. Without Interstate Route 66, there can be no median strip and thus no area for mass transit facilities.”

Latto, by contrast, said, “If the highway is disapproved, the only sensible interpretation of this provision is that it would be rendered ineffective by the disapproval of I-66 so that technical compliance with this requirement would no longer be necessary.” The only reason the General Assembly had inserted the conditions in 1973 was to ensure Metro would not interfere with

operation of I-66. If the road were not built, the possibility of interference would disappear, meaning the required approvals by State highway officials would not be an issue.

Latta added, moreover, that the General Assembly could change the vested rights of prior property owners. In fact, he pointed out, State law had been changed in the last session of the General Assembly to allow VDHT to hold the right-of-way without building I-66 for 15 years, instead of 12 years under previous law. Thus, even if Miller were correct in his interpretation of the 1973 amendment, he could be overruled. "If the right of repurchase can be postponed, there is no reason why the legislature cannot modify it further by providing, for example, that the repurchase right will not arise if the land is used for some other public purpose, such as construction of rapid transit facilities or for a public park." [Edwards, Paul G., "I-66 Right-of-Way Question a Possible Snag for Metro," *The Washington Post*, July 15, 1975]

The *Post* came out against I-66 in an editorial on July 24, just days before Secretary Coleman was scheduled to announce his decision. The decision had "already been decided by the elected representatives of the people most directly affected," despite the "fanatical tenacity by the Virginia State Highway Department in Richmond." Since no one claimed I-66 was essential to national defense, the only arguments justifying its construction were that it was essential to interstate commerce and that it was essential to the regional transportation system.

FHWA's proposal to ban heavy trucks meant I-66 was basically a commuter road because "you can't very well serve interstate commerce without trucks." Moreover, the area's TPB had determined that I-66 inside the Capital Beltway was "inconsistent with regional goals and objectives" and removed it from further regional transportation plans:

The basic issue, of course, is whether to continue on the road of recklessly uncontrolled "automobility" or whether Mr. Coleman and the Ford administration are serious about restoring a sensible balance between public and private transportation.

The editors dismissed the argument regarding resale of the right-of-way as having "little legal validity." Building Metro in the former I-66 right-of-way "would no doubt be somewhat more expensive" than building it in the I-66 median:

But the additional cost is in no proportion to the gain in parkland, much needed housing and livability that the final demise of the I-66 project would provide. This is not a decision that can be compromised. A little bit of inadequate freeway makes no more sense than all 10 destructive lanes of it. It is too much to ask the Secretary of Transportation to stand for. His office can afford to risk the wrath of a state highway department in the cause of advancing an emerging, new national transportation policy and of protecting the environmental interests of the people who live in the immediate vicinity. ["I-66: Mr. Coleman's Choice," *The Washington Post*, July 24, 1975]

True to his word, Secretary Coleman announced his decision on August 1, 1975. After describing FHWA's recommended six-lane I-66, with heavy trucks prohibited and Metro in the median, he said:

On the basis of the record and after consideration of the relevant issues of law, fact and public policy, I have decided to disapprove FHWA's recommendation to construct this segment of I-66 under the proposal submitted to me for approval. My reasons for disapproval are that (1) the improvement of existing roads and highways in the corridor and the extension of a Metro line to Vienna constitutes a prudent alternative that will meet the transportation needs of the metropolitan area in a manner which is more consistent with metropolitan development goals and planning objectives, and has fewer long term adverse consequences, and (2) the changed circumstances, including the probable end of the plans to build the Three Sisters Bridge and the adoption of the plan to build Metro, make the plans to build this segment of I-66 as an Interstate Highway no longer suitable.

This has been a difficult decision, which I have made reluctantly, because I have great respect for the important role of state governments in the Federal-aid Highway Program. The VDHT has done a creative and thorough job in designing a proposal for a modern multi-modal facility. But this is simply the wrong time and the wrong place for an otherwise excellent project.

I-66 was part of the Interstate System “ – a system designed to connect principal metropolitan areas, cities and industrial centers and to serve national defense.” The proposed route did not serve these purposes, “must be considered primarily a commuter road designed to serve people in the Washington metropolitan area,” and was “no longer essential to completion of a unified and connected Interstate System.” I-66 might alleviate congestion on Arlington streets, but “improved mass transit would provide a greater overall relief from congestion because it would not be a major artery inducing cars onto the Theodore Roosevelt Bridge.” If the Three Sisters Bridge were not built, traffic crossing the Theodore Roosevelt Bridge would confront “greatly increased congestion.”

Moreover, after reviewing the final EIS, “I have not been convinced that the construction of a six-lane highway would be substantially more effective in meeting the community's transportation than would be some of the alternatives.” Moreover, the time “saved by commuters through use of I-66 does not outweigh the adverse impact of the highway's construction.”

He pointed out the opposition of local bodies, the District of Columbia, and Federal agencies, including EPA (“it would result in concentrations of CO exceeding standards at various points of concentration”), the Council on Environmental Quality (“the need for the highway is not sufficiently established in view of the substantial adverse local and regional environmental impacts”), and the Federal Energy Agency (“would be inconsistent with the national goals of reducing our reliance on imported petroleum”).

He acknowledged the dispute over what would happen to the right-of-way acquired for I-66, but did not consider it a major issue:

Since the estimated cost of the Vienna Metro line is in excess of \$350 million, costs related to I-66 do not appear to be a major part of this total. Over the long term, the presence of an Interstate highway serving the same corridor would divert operating

revenues from Metro, and compete with the objectives of a financially sound mass transit system that will be used by increasing numbers of commuters as they see the advantages of fast, safe, and efficient service.

He added that he had considered the benefit of I-66 to Dulles International Airport:

While construction of I-66 might improve trip time to Dulles Airport, the reduction in time would not be great (probably less than ten minutes) and there is doubt whether there will be any significant improvement during peak commuter hours.

He instructed FHWA to work with State, local, and Metro authorities to review alternative way to improve access between downtown in the District and the airport.

In conclusion, therefore, I disapprove the VDHT-FHWA proposal to build this segment of I-66. I instruct the FHWA to provide every possible assistance to the VDHT in developing any additional proposals, supplementing the “base case”, to improve transportation facilities in the corridor.

He listed several followup actions, including FHWA’s activities to improve access to Dulles International Airport. He also stated:

This decision is without prejudice to any further consideration on the part of the VDHT of the need for a non-Interstate commuter highway in the I-66 corridor if, after consultation with appropriate metropolitan authorities, the state finds it in the best interest of the metropolitan area to build a highway in the corridor, and if the proposal meets all the appropriate legal tests.

He also asked Deputy Under Secretary for Budget and Program Review Theodore “Ted” Lutz to “undertake a review of the financial requirements needed to complete the Metro line to Vienna and report to me on whether there are any impediments to completion of this project and whether the timetable for its completion may be accelerated.”

In addition, he directed UMTA to work with WMATA, TPB, and Virginia officials “to determine whether Federal assistance for any additional mass transit improvements would help to alleviate congestion in the I-66 corridor and make recommendations to me on this issue.”

Secretary Coleman, in his autobiography, discussed the I-66 decision, the “first controversial case I faced.” Although Virginia had submitted “a comprehensive environmental impact statement,” the proposal faced “a lot of opposition to the highway from within the District of Columbia and close-in Arlington County, Virginia, and a lot of strong support from the further-out suburban communities whose residents faced increasing congestion in their commute to jobs in the capital.”

He also had to consider the District’s decision to use the Interstate withdrawal-substitution mechanism of the Federal-Aid Highway Act of 1973 for the Three Sisters Bridge and other unbuilt Interstates, as well as the 1973-1974 energy crisis and the coming of Metro.

“Clearly there were disconnects in the planning of the two neighbors,” the District and Virginia:

On June 21, 1975, I held all-day public hearings and heard arguments by elected officials and organizations both for and against the proposal. After the hearing, I reviewed the extensive record and wrestled with the decision. I asked Don Bliss [Special Assistant Donald T. Bliss] to prepare two written decisions, one approving the project and one disapproving it. I outlined the issues for each and scheduled a press conference to explain my decision. The preceding evening, still at the office near midnight, I called in Don and told him I was going to disapprove the proposal. Although it was a well-designed proposal, this was simply the wrong place and the wrong time to build it. I was concerned that constructing a major new highway to serve peak-hour commuter traffic to an urban center was inconsistent with emerging policies on energy conservation, air quality, noise, conservation of public parks, and the quality of urban living. I was also concerned that an eight-lane highway would generate additional traffic congestion in Washington and promote land-use patterns that would increase reliance on the automobile at a time when we were promoting the use of public transit.

I told Don to add several qualifications to my decision of disapproval. The first was to direct the department to recommend ways to improve access to Dulles International Airport from downtown Washington and to improve public transit alternatives in the corridor that would alleviate congestion. The second was that my decision would be without prejudice to any further modified design proposal by the commonwealth of Virginia to build a highway in that corridor that would meet the environmental and other concerns raised in my decision.

Don pointed out that if I invited Virginia to submit another proposal, I probably would have no choice but to approve it. It simply was not fair to ask the Virginia Department of Transportation to expend millions of dollars in designing a new highway proposal and to disapprove it a second time. I told him that the condition was essential. I would not reject the eight-lane highway proposal without it. [Coleman, pages 259-260]

As he recalled, “reaction to my decision ranged from extremely favorable to extremely hostile.”

Deputy Commissioner Harwood said:

I really feel the people of Northern Virginia are going to be the losers. We’ve been accused of wanting to build a road for the sake of roads, but we felt we needed a facility there.

As for the issue of how Metro could acquire the right-of-way, he said, “This is going to be a right sticky legal question.” It was complicated by the fact that Metro did not need the full width of land acquired for I-66 – it needed only a 50-foot wide strip.

Harwood rejected Secretary Coleman’s suggestion that the State could build a commuter road in the corridor. “The idea of being able to finance a facility that would cost in the vicinity of \$200 million is just out of the question. We just don’t have the money.”

Governor Godwin deferred comment until he had reviewed Secretary Coleman's decision. However, he did not back off on his stated position that if I-66 were withdrawn from the Interstate System, he would use the substitution funds for Interstates in the Tidewater area.

Representative Fisher called Secretary Coleman's statement "a splendid, well-justified decision." As for Governor Godwin's view on the use of substitution funds, Representative Fisher said, "It looks too much like a narrow, spiteful action to peevishly take the money from the part of the state that it was planned to be spent in."

The decision revived talk of the toll option of financing construction without Federal funds. Fugate, however, did not favor that option. "We have a limited amount of state funds and our plans don't include building a road in the corridor without Interstate funds." The only thing he would say of the toll option was that it was "a possibility." One thing was clear: he did not want to use the Interstate withdrawal-substitution mechanism to benefit Metro construction. "Interstate highway money should be used for Interstate construction."

The funds should be transferred to other Interstate projects in the State. Fugate pointed out that the Department of Transportation had transferred Interstate funds earmarked for withdrawn Interstates in Maryland to other Interstate projects in the State. He pointed out gaps in the Tidewater area, such as gaps in I-264 between Norfolk and Portsmouth and I-664 between Hampton and Portsmouth. "The people who live in those areas are intensely interested in getting mileage to fill those gaps. They want it and want it badly." His position was "absolute," but he could not predict what the Virginia Highway Commission would decide.

Chairman Alexander of the WMATA board said, "Taxpayers in the area are getting tired of paying more and more for Metro. The obvious alternative . . . is to shift the funds earmarked for I-66 to the Metro system."

WMATA's Quenstedt pointed out that for years, the issue had been whether to build I-66. Now that the issue had been decided, "Now you get into all the technicalities."

Alan H. Magazine of the Northern Virginia Transportation Commission agreed:

One of the biggest problems in the state of Virginia is the fact that Fugate is a czar when it comes to highway planning and highway money. I think it's time someone should do something about removing him or get checks and balances for his decision-making powers. He's an appointed bureaucrat who has more power than most elected officials in Virginia, and I think it's absurd.

Deputy Undersecretary Lutz pointed out that Virginia, Maryland, and the District had about \$1.7 billion in Interstate construction funds that could be transferred to Metro as a partial solution to WMATA's financial problems. Ultimately, however, the decision was a State prerogative:

We can't say "no, you can't do that because we'd rather see the money transferred to Metro." We can't legally do that. Clearly the (state) government under the federal highway aid statute has tremendous power. If he [Governor Godwin] wanted to thumb

his nose at a certain part of the electorate in Northern Virginia, he could just about do that.

As for ACT, Emilia Govan, one of *Washingtonian* magazine's 10 Washingtonians of the Year in 1974, recalled how she and her husband had begun fighting I-66

We knew the highway was coming, but we didn't know its impact. We began to find we couldn't get any information on it. We asked the highway department about the noise, and they said, "Well, we'll put up a chain link fence," and we said that's not enough, and they said, "We'll cover it with ivy." That's the kind of insensitivity we faced.

An unnamed ACT member said of the Coleman decision, "We could have written it ourselves. And we probably did."

(In addition to Emilia Govan, the 1974 Washingtonians of the Year included Senator Eagleton, Mayor Washington, *Post* journalist William Raspberry, and the local radio team of Frank Harden and Jackson Weaver.)

[Shaffer, Ron, "Coleman Bars I-66 Between Beltway and Potomac," *The Washington Post*, August 2, 1975; Kast, Sheilah, "I-66 Rejection: More Problems Than Solutions," *The Washington Star*, August 2, 1975; Lyons, Douglas C., "Revenue Bond Toll Road Eyed For N. Virginia," *The Washington Post*, August 4, 1975; Shaffer, Ron, "Va. Aide Wants

I-66 Funds held From Metro Use," *The Washington Post*, August 5, 1975; Kast, Sheilah, "Ruling on I-66 Uncovers Some Strange Bedfellows," *The Washington Star*, August 7, 1975]

An editorial in the *Post* said that Secretary Coleman had turned down an I-66 roadway "that would have dumped still more combustion engines and their poisonous exhausts on an area that is already choking and smarting and has clearly reached the automotive saturation point." Now that "this seemingly endless freeway controversy is settled," the highest priority was to build the Metro line to Vienna. The Interstate withdrawal-substitution mechanism in the Federal-Aid Highway Act of 1973 offered the means "to help speed Metro":

So far Gov. Mills E. Godwin has declined comment on the use of highway funds for Metrorail construction. On reflection, however, the governor will surely not want to deny the citizens of his state the benefits – in jobs and other economic advantages, to say nothing of relieving highway traffic and air pollution – that speedy completion of the North Virginia Metro line would bring about. ["The Good News About I-66," *The Washington Post*, August 4, 1975].

Commenting editorially on the decision, the *Star* recalled the long history of the I-66 controversy. During that 20-year period, public attitudes had changed, leaving "a dearth of middle ground" on the project:

On one side, like Horatius at the bridge, has stood Virginia's powerful highway commissioner, Douglas Fugate, adamantly supporting the completion of I-66; opposing him with increasing muscle has been a coalition of citizen and government forces that has

grown into an effective lobby. The Interstate-66 issue, even more than the heated dispute over the Three Sisters Bridge, has become a classic chapter in the assault on the dominance of the automobile.

The *Star*, as the editorial acknowledged, had long supported I-66:

But now that the project has been deep-sixed – apparently for good – we can only hope that the rejection will galvanize transportation officials in our cross-jurisdictional territory: The lack of cohesive planning and action is leading this area to major trouble. It is not the notion of a madman that, in the foreseeable future, much of the metropolitan area could be turned into a waste-sink for air-borne pollutants – witness our severe air-quality problems right now.

As for State officials calling for the I-66 funds to be transferred to other Virginia Interstate projects, the *Star* agreed with Representative Fisher’s comment that Governor Godwin’s leaning in that direction “looks too much like a narrow spiteful action to peevishly take the money from the part of the state it was planned to be spent in.” The *Star* hoped FHWA would consider the area’s transit needs in considering what to do with those Interstate funds. “Metro must have a quick infusion.” [“Unlinking Interstate 66,” *The Evening Star*, August 6, 1975]

On August 7, Governor Godwin met with legislators from northern Virginia to discuss how I-66 substitution funds would be used. They wanted the funds to stay in northern Virginia. After the meeting, Governor Godwin told reporters, “The state has formulated no position on the matter.” He said he would look for ways to use the Interstate funds from the Highway Trust Fund in northern Virginia before agreeing to the transfer of equivalent general Treasury funds to Metro. “If all of this money is diverted to Metro, it would leave Northern Virginia’s traffic problem unsolved.”

He said he told the delegation that State officials were “trying to approach the problem on every sound basis we know,” adding, “But we want to keep our options open,” as Associated Press explained:

Godwin noted that the Tidewater area “would love to have it” and Fugate said it could be used to expand the beltway now only partially complete around Richmond.

The governor said one alternative might be to try to use the money in Northern Virginia to either improve existing highways or build new ones. But he added that it would take congressional action to alter the existing disbursement formula under which federal interstate highway funds are made available.

The problem, Fugate pointed out, was that the Interstate withdrawal-substitution provision “clearly does not permit use of interstate highway funds for any other kind of highways.” A change in the Federal law would be needed. As for that, Governor Godwin said, “I suppose anything is possible, but that would seem to be a remote possibility.”

In response to the Governor’s position, State Senator Leroy S. Bendheim of Alexandria, said, “It is clear that we are whistling in the dark if we think all of that money is going for Metro. Maybe

some of it, but certainly not all.” [Edwards, Paul G., “Godwin to Try to Use I-66 Funds in N. Va.,” *The Washington Post*, August 8, 1975; “Godwin: No Stand On I-66 Funds Yet,” Associated Press, *The Washington Star*, August 8, 1975]

The death of I-66 prompted the *Post* to interview the freeway’s chief opponents, Emilia and Jim Govan. In the 5 years of their freeway battles, Emilia said, “I’ve lost the use of a lot of space in the house,” which was located in Arlington at 1423 North Buchanan Street, five blocks from the rejected freeway. “Books, papers, boxes of papers, they’re everywhere. We got so we had to have two electric typewriters around just to keep up with the work.” With I-66 dead, she was hoping to reclaim some of the space.

Jim joked, “We couldn’t take it for two more years. We don’t have any more room to store our propaganda.” In a more serious tone, he added, “It was a very worthwhile effort. We obviously had results.” The accompanying photograph showed them in front of their home holding one of their large placards that read: ACT OR BE PAVED. I-66 NO!

The Govans met at Columbia University while pursuing graduate studies in political science. She was “the gregarious girl with the Brooklyn accent, he the Midwesterner with the flat voice from Harrisburg, Ill”:

He is a prematurely grey bespectacled man of 38, introspective and professorial. An official in the African bureau of the Agency for International Development, he is low key and soft spoken

Emilia Govan (37) attracts more attention. She is dark, engaging, volatile, quotable. A mother of two, she was working on her Ph. D. dissertation, a project she soon dropped when the I-66 fight arose. I-66 thrust her into the spotlight as it disrupted their peaceful suburban life.

They were unprepared for what they encountered during their successful battle against I-66:

“We’ve both taught political science in college (he at Williams College, she at Trinity College in Washington) but what we ran into is totally different from what we taught our students,” James Govan says.

“In the classroom, you teach what the laws are. But the fact that there is a law on the books doesn’t mean that’s the way things work. There’s no way to learn in a text book, for example, that the highway commissioner runs the state of Virginia. What we’ve dealt with are the innards of the system – the rules and regulations, the bureaucrats who run things on a day to day level.”

They found unresponsive bureaucrats, officials unwilling to take stands, and information hard to come by. At the start of the fight, Emilia said, “It was like citizens had never asked for this kind of information before [and] we were basically viewed as a public nuisance.”

As the *Post* recalled, they had been called “gooks,” “radicals,” and “misguided environmentalists” who “want to stop everything that moves.” Horace Mann of Citizens for I-66

described them as “no growth people, extreme environmentalists who think the automobile is outmoded They would have us plow up our existing highways and plant them in daisies.”

“Balding and bespectacled” Deputy Commissioner Harwood, 59 years old, had been with the State highway agency since 1935. Although he lived in Richmond, he had become so closely associated with the freeway, the *Post* said, that he was known as Mr. I-66. Harwood said:

I’ve spent a lot of time on it [I-66] and on studies and in the Washington area. We tried to cooperate with people but it was frustrating because we ran into so many roadblocks.

During public hearings, he chose his words carefully. “Despite heavy pressure from the highway’s opponents, Harwood never lost his temper. Instead, his face would grow dark as he carefully marshalled his words when replying to the sometimes heated attacks on the highway.”

A few days before the Coleman decision killed I-66, Harwood told the *Post* that I-66 was “almost a must if you are going to have any decent mobility in that area. All those communities are so committed to Metro that they can’t think rationally.”

In the end, he regretted that highway officials had “waited years for Metro to see if they wanted to go down the median. If we hadn’t waited we could have had this highway construction underway by now.” Thinking back, he said, “If we had it to do over again, we wouldn’t have been so cooperative.”

Still, the Govans had earned his grudging respect. On the one hand, they “represent a very small, but vocal minority. They seem to have an obsession with I-66. They think we’ve been unresponsive because we don’t hold the same view as they do.” On the other hand, he had to admit, “They’ve certainly put up a strong fight. I don’t think we’ve ever run up against anyone so persistent. They just don’t give up.”

As Harwood had said, the Govans had a different view. Emilia said, “This simply is not a good transportation facility to be building in the 1970s. We’ve reached a cross roads. This is the time when we have to say, ‘Stop building highways.’”

A reporter asked her what advice she would give to others trying to fight a planned highway:

The question catches her off guard. She mulls it over for a full minute, sitting in an old chrome and red leather chair in the living room. She glances at her husband across the room. Finally, she says:

“You have to tell people they have to be persistent.”

The important point was that I-66 inside the Capital Beltway was dead.

[Shaffer, Ron, and Nunes, Donnel, “5-Year Fights Ends in Victory for I-66 Foes,” *The Washington Post*, August 2, 1975; Peterson, Bill, “For the Govans, the Road To Victory Is Unpaved,” *The Washington Post*, August 21, 1975]

Upgrading the Baltimore-Washington Parkway

When Maryland and the District of Columbia decided to withdraw I-95 from the Interstate System between the Capital Beltway and North-Central Freeway/Center Leg Freeway, they expected that I-95 traffic would access the city using the Baltimore-Washington Parkway. One way of making the connection was for traffic to link with the parkway via the Capital Beltway, which might have to be widened in Prince George's County to handle the traffic volumes. An alternative was that Maryland would build a connector between I-95 in the vicinity of Laurel and the parkway. Both options were based on plans to upgrade the Baltimore-Washington Parkway to Interstate standards while the District built the Industrial Parkway in the New York Avenue corridor to carry Interstate traffic between the parkway and the Center Leg Freeway. Through traffic on I-95 that did not need to go into the city would stay on the Capital Beltway between the Maryland and Virginia interchanges.

Section 146 of the Federal-Aid Highway Act of 1970 had authorized funds from the Highway Trust Fund, not to exceed \$65 million, "for reconstructing to six lanes the section of the Baltimore-Washington Parkway in the State of Maryland under the jurisdiction of the Secretary of the Interior to the geometric and construction standards for the National System of Interstate and Defense Highways." The funding was contingent on the Secretary of the Interior and the State highway department entering into an agreement that "upon completion or reconstruction the Secretary . . . will convey without monetary consideration" the parkway to the State. In addition, the State was to put the parkway on the Federal-aid primary system before expending the funds under Section 146. (The Interstate System is part of the primary system.)

As noted earlier, to reach agreement, Maryland and NPS officials, with FHWA's help, had to resolve issues such as: Which agency would provide police service and maintenance during construction when NPS would still own the highway that Maryland was reconstructing?

On June 9, 1972, NPS, Maryland, and FHWA completed an agreement under Section 146. The agreement provided for:

Maryland would place the parkway on the Federal-aid primary system and proceed with reconstruction in accordance with Federal-aid requirements;

Maryland and FHWA would agree on scheduling of work and other details;

All parties would pursue the project "expeditiously with the intention of completion of the entire Federal section within 48 months from the date of the award of the first construction contract";

FHWA would reimburse Maryland for all costs from the sums Congress authorized;

NPS would be responsible for maintenance of the parkway until construction and maintenance contracts were awarded, at which time "maintenance responsibility of the National Park Service for that segment of the Parkway shall terminate";

NPS would police the Federal section of the parkway “until such time as all or part of the Federal section is conveyed to the State of Maryland,” at which time the State would assume police jurisdiction;

Upon completion of reconstruction, NPS would convey the parkway to Maryland.

(The agreement also provided that NPS would transfer “all right, title and interest of the United States in the Suitland Parkway” to Maryland upon enactment of legislation authorizing the transfer, providing funds for reconstruction, and concurrence by the State on “the nature, extent, and standards” for reconstruction. This provision, not included in Section 146, was not carried out; the Suitland Parkway remains an NPS facility.)

The plan required comparable upgrading of the State section of the parkway in the vicinity of Baltimore to connect with I-95 in the city.

Maryland planned to engage a consultant to study two schemes for the Federal section of the parkway. Under one scheme, the parkway would be upgraded to full Interstate standards. Under the other, the parkway would be upgraded but only to the limits that the authorized \$65 million would allow. The contract would cover the environmental review and public hearings. However, the State did not award the consultant contract for 2 years.

On July 3, 1974, the Maryland Board of Public Works approved a \$1.2 million contract awarded to a team headed by Systems Design Concepts, Inc., which was headed by former Federal Highway Administrator Lowell K. Bridwell. The consultants would undertake preliminary engineering and other studies to determine how many lanes the reconstructed facility would have, including one option of six lanes with two reversible lanes in the middle.

Assistant State Transportation Secretary David H. Fisher, who had been involved in difficult negotiations about the parkway for 4 years, considered the contract a major step forward. Aside from the reconstruction to Interstate standards, he acknowledged that the project would address the main complaint about the parkway. The joints between concrete segments had sprung; the bumps and potholes turned the parkway into what Fisher called “one of the poorest roads” in the State from “an overall service point of view”:

The present concrete sections of roads are really in bad shape. The parkway needs major structural improvements. But we very much want to maintain the parklike nature of the road. The real problem is deciding how to do it.

He could not predict how long the consultants’ studies would take, but reconstruction would not begin until the late 1970s, at the earliest. [Rascovar, Barry C., “Baltimore-Washington Parkway Study Approved,” *The Baltimore Sun*, July 4, 1974; Barbash, Fred, “Widening of Parkway Is Projected,” *The Washington Post*, July 4, 1974; Rowland, James B., “Parkway Widening Pact Okayed,” *The Washington Star-News*, July 4, 1974]

On November 6, the MSHA held a “project initiation meeting” to allow the public to ask questions about plans for the parkway. M. Slade Cartrider, MSHA’s district engineer for the Washington suburbs, told the 100 or so people in the auditorium of Greenbelt Junior High

School, about the consultant's study of alternatives ranging from major widening to leaving things as they were.

As Jack Eisen put it, "A long-dormant proposal to widen the Baltimore-Washington Parkway . . . encountered a hostile reaction last night." Officials of towns along the parkway – Bladensburg, Cheverly, and Greenbelt – "conceded that some improvement to the 25-year-old parkway may be needed, but said the road should not be widened or opened to truck traffic." Mayor Susanna Cristofane of Bladensburg said "the parkway was a victim" of the decision to kill the extension of I-95 into Washington. Cheverly Councilman Joseph B. Jochum said the widening "would constitute a serious threat . . . because of the resulting air and noise pollution." Gil Weidenfeld, mayor pro tem of Greenbelt, said, "If . . . widening is necessitated by the proposal to use the parkway for I-95 traffic, such a use is opposed."

James Repace of the Prince Georges Environmental Coalition, called on MSHA to establish a citizen's advisory committee. MSHA should initiate "a rollback of the study to the beginnings" in July; that is, to start over.

Eisen characterized the comments as "subdued in their tone of delivery," but added, "not one of perhaps two dozen questioners indicated support for the project." [Eisen, Jack, "Parkway Widening Opposed at Meeting," *The Washington Post*, November 7, 1974]

The *Sun*'s James D. Dilts, who had reported extensively on the Baltimore freeway controversies, concluded after a similar project initiation meeting in Linthicum that another "highway battle is brewing" over the parkway proposal. He interviewed one of the opponents, Rhea L. Cohen of the Sierra Club and executive coordinator for the Regional Transportation Study Committee, who said the committee's purpose was "to force the local and state agencies to look at transportation planning on a regional level." She told Dilts that 32 highway lanes connect Baltimore and Washington – in Prince George's County alone. "We want the parkway to be improved – the on-off ramps and safety factors." She thought access into Washington was adequate, especially in view of the planned rail rapid transit for the area.

State Highway Administrator Bernard M. Evans did not agree with Cohen that adequate access was available for the Washington area. "There are more cars on [the parkway] than it wants to handle – furthermore, it is dangerous." The consultants were studying a range of options, adding that the last thing MSHA wanted to do was "turn [the parkway] into a Ritchie highway mess instead of the gorgeous parkway that it is."

(According to a 1987 two-part article in the *Sun*, Ritchie Highway, named after former Governor Albert Ritchie (1920-1935), was "envisioned as a pleasant, tree-shaded boulevard" between Baltimore and Annapolis. It opened on April 26, 1940, "with a grand parade of military bands, marching units and floats through the streets of Annapolis":

Barely six months after Ritchie Highway opened, a State legislative council report complained of "a conglomeration of structures," and "commercial and residential exploitation of the roadside" that was threatening "the state's newest road."

(In the absence of access control, every parcel fronting the highway had access to it. The result was that by 1987:

Ritchie Highway has become a nightmare of neon, fast food, malls and exhaust fumes. The traffic lanes are crammed with lines of cars and trucks that stretch out and squeeze together like the bellows of an accordion as they crawl from one light to the next

The State Highway Administration . . . ranks Ritchie Highway as one of the most dangerous roads in the State. [McCord, Joel, "Ritchie Highway: Showpiece Is Now a Nightmare" and "Creeping Commercialism Spelled Doom for Ritchie Highway's Boulevard Look," *The Baltimore Sun*, February 15, 1987])

Bridwell told Dilts the study would take about a year, after which public hearings would be held. If the parkway were widened by one lane in each direction, Bridwell pointed out, MSHA would not have to tear down the steel and reinforced concrete bridges faced with natural stone that contributed to the parkway design. [Dilts, James D., "Battle Brews on Widening of Baltimore-D.C. Road," *The Baltimore Sun*, December 9, 1974]

On April 6, 1975, Bridwell's team recommended that in addition to the plan simply to resurface the parkway without widening, MSHA should consider five proposals:

Reconstructing it into a triple roadway, with a six-lane arterial, plus a two-lane busway in the middle;

Widening the entire parkway to six lanes for all traffic, including automobiles, buses, and trucks (at present, only the section from Annapolis Road/Maryland Route 450 into the District had six lanes);

Widening the parkway to six lanes for automobiles and buses, but not trucks, with special bus lanes added south of Maryland Route 450;

Widening the parkway by two lanes and permitting trucks, without special bus lanes; and

Widening the parkway by two lanes, permitting all traffic, while adding special bus lanes to Maryland Route 450.

The MSHA planned to present the recommendations at two workshops to receive public comments. Eisen concluded that the proposals "seem sure to generate controversy." [Eisen, Jack, "5 Plans Offered for Parkway Widening," *The Washington Post*, April 7, 1975]

As Eisen predicted, the workshops were attended by what the *Sun* called "an audience of nonbelievers":

. . . citizens challenged the "credibility" of the road planners. They also disputed the need for two parallel interstate highways, Interstate 95 and the parkway

“We’ve been lied to all down the garden path before,” said a Linthicum man who refused to give his name Citing Prince Georges county residents’ successful battle against extending I-95 inside the Capital Beltway, several citizens said the widening plan represented an effort to turn the parkway into “the major north-south artery” between Baltimore and Washington as well as the route for “East Coast traffic.” [“Plan to Widen D.C. Parkway Stirs Protest,” *The Baltimore Sun*, April 19, 1975]

The *Star*’s editors joined the citizens in opposing the reconstruction project:

The Maryland highway people seem intent on transforming the Baltimore-Washington Parkway, one of the few roadways in this area that has aesthetic merit, into another barren concrete apron – like Interstate 95. That would be an abomination. At some point in our slavish accommodation of the automobile, we must begin to balance values, and very soon.

The editors favored simply resurfacing the parkway or improving the present four lanes to Interstate standards of interchange and safety design. “However, other proposals are grotesque.” They “would be nothing less than a despoilation, a bureaucratic vandalism.” NPS, which “has been anxious to shed jurisdiction over its 19 miles of the parkway for years,” would accept almost anything Maryland proposed. “But the federal government will be grossly negligent if it accepts a ravaging of the parkway’s splendid pastoral sweep as the price for ridding itself of an inconvenience.”

The editorial concluded:

By all means resurface the parkway; by all means upgrade safety features. But isn’t it clear by now that trying to solve traffic problems by adding more lanes to more roads is not the answer? We fear the end result may recall Tacitus’s comment about the rapacious surges of the Roman Empire on its frontiers: “Where they make a desert, they call it peace.” Substitute “Progress” for “peace” and worry for the future of the Baltimore-Washington Parkway. [“Threat to the Parkway,” *The Washington Star*, April 23, 1975]

While Maryland officials decided how to proceed, Congress agreed in December to a proposal by Representative Long to appropriate \$5.7 million to resurface the Federal parkway to accommodate Bicentennial traffic. The work, which began in April 1976, included paving repairs with a surface of asphalt over the existing concrete, all-weather shoulders, and some new guardrail. NPS planned to maintain two-way traffic throughout the construction period, but only one lane would be open in each direction for much of the day. The exceptions would be peak periods, Sunday afternoons, and holiday weekends. Repaving would be completed in October 1976.

In June 1976, MSHA decided to study three of the alternatives in greater detail:

- (1) Rehabilitate bridges and roads, plus safety improvements, without new lanes (\$46.3 million, but increased to \$104 million if new interchanges were included);
- (2) Retain four lanes for most of the parkway, but extend the six lanes section from

- Maryland Route 450 to the Capital Beltway (\$162 million); and
- (3) Widen the entire parkway by two lanes, with some of the added capacity restricted to buses and carpools (\$204.2 million).

In addition, MSHA had asked Congress to appropriate \$6.9 million of the authorized \$65 million to begin the reconstruction. The House Committee on Appropriations turned down the request. Its report on the Department of Transportation and Related Agencies Appropriation Act, 1977, stated, "Since work on . . . resurfacing is currently under way, the committee does not feel there is an urgent need to reconstruct the parkway." [Eisen, Jack, "Parkway Rebuilding: 1 Step Forward, 1 Back," *The Washington Post*, June 10, 1976]

MSHA announced in July 1976 that it had decided not to allow truck traffic on the parkway. Instead, MSHA officials had narrowed consideration to three plans that they said would cause the least damage to the parkway's wide scenic median: (1) a "no build" alternative that would upgrade the parkway to current design and safety standards; (2) widen to six lanes only the section of the parkway outside the Baltimore and Capital Beltways; and (3) widen the parkway to six lanes between Baltimore and the Capital Beltway, allow trucks between Baltimore and the Baltimore-Washington International Airport, and widen the parkway to eight lanes between the Capital Beltway and the District.

The *Sun* explained:

Extensive truck service on the 22-year-old road was rejected in the consultant study because of the congestion problems it would cause and also because trucks can now operate on the under-utilized section of Interstate 95, which parallels the parkway.

The consultants also discounted plans for widening the parkway to eight lanes because it would add further congestion to local Washington roads, would divert traffic from I-95 and would severely damage the parkland portions of the route.

Systems Design Concepts estimated that the draft EIS would be completed in April 1976, with the final EIS scheduled for September 1976. MSHA estimated that construction of the selected alternative could not begin before 1979 or 1980. [Rascovar, Barry C., "Parkway Plans Narrowed," *The Baltimore Sun*, July 5, 1976]

The MSHA was unable to resolve the conflicts involved in converting the parkway to Interstate standards. However, MSHA could not use the \$65 million authorized in 1970 for any other purpose. Accordingly, on August 18, 1978, while the Senate considered the pending Federal-Aid Highway Act of 1978, Senator Mathias introduced an amendment:

Baltimore-Washington Parkway

Sec. 146. Section 146(a) of the Federal-Aid Highway Act of 1970 is amended (1) by striking out "to six lanes" and (2) by striking out "for the National System of Interstate and Defense Highways" and inserting in lieu thereof a comma and "agreed upon by the Secretary of Transportation and the Secretary of Transportation of the State of Maryland, which preserve the Parkway characteristics."

Senator Mathias informed his colleagues that this amendment reflected an agreement FHWA had worked out with the Maryland Department of Transportation:

The 1970 legislation stated that the roadway was to be rebuilt to interstate standards, which meant a significant widening of the roadway and interchanges, additional lanes, and a high cost. This would mean a substantial change in the character of the Parkway.

Subsequent planning, environmental reviews, and citizens [sic] participation concerning the rebuilding of the Parkway led highway planners to conclude that the parkway-like setting should be retained. As many of my colleagues know, the Baltimore-Washington Parkway is one of the more pleasant roadways linking Baltimore and Washington with its green spaces, trees, and buffers from the adjacent urban areas.

His amendment “simply authorizes” FHWA and MSHA to decide on the appropriate standards to apply to reconstruction “in keeping with the parkway nature of the roadway.”

Two leaders of the Committee on Environment and Public Works endorsed the amendment. Senator Bentsen, manager of the Senate bill, called the amendment “an admirable thing to do” to protect “a beautiful parkway.” Chairman John H. Chafee (R-RI) said:

Mr. President, let me say this is not only an excellent amendment, but it makes one wonder why it is necessary, why we are so bogged down in bureaucracy that in order to maintain a beautiful highway like the Baltimore-Washington Parkway, we have to have a special act of Congress in order to retain its beauty and yet have it deemed an interstate road. It makes us wonder about some of the procedures around here.

I commend the Senator from Maryland for his amendment. I am delighted that the beauty of that road can be preserved.

The amendment was adopted without objection. [Federal-Aid Highway Act of 1978, *Congressional Record-Senate*, August 18, 1978, page 26943]

The provision survived as Section 130 of the Surface Transportation Assistance Act of 1978. President Carter signed the legislation on November 6, 1978 (P.L. 95-599).

In early January 1980, Caltrider, by then the State Highway Administrator, and FHWA were discussing the scope and costs of a proposal for parkway improvements. However, the most comprehensive proposal under consideration would cost about \$150 million, with MSHA then responsible for maintenance costs of as much as \$100,000 a year after NPS transferred the facility to the State. This option, favored by MSHA, involved widening and resurfacing the Federal segment, strengthening and paving shoulders, and rebuilding some interchanges for safety reasons. Caltrider emphasized that this option would retain the facility’s “parklike setting.” The additional lanes would be built in the median, which he said had been graded to accept additional lanes when the parkway had been built.

The no-build option was still under consideration, along with the minor improvement option (widening the Federal parkway to six lanes, resurfacing it, and making safety improvements such as lengthening merging areas for interchange access).

The *Sun* reported:

The state highway administrator said yesterday that he has told federal officials “unless we can get a full-scale rejuvenation, I’m not in favor of taking it over.”

He added that the maintenance costs would be “a drain on Maryland taxpayers” and that he considered “voiding the take-over agreement.” [Trammer, Monte I., “Option on Take-Over of Parkway Studied, *The Baltimore Sun*, January 31, 1980]

By then, the United States was experiencing its second energy crisis. It began in February 1979 following the revolution that replaced the Shah of Iran with Ayatollah Ruhollah Khomeini. He transformed the country into an Islamic Republic. The change disrupted the flow of oil from Iran, previously the second largest oil supplier to the world. The Iran-Iraq War, which began in September 1980 and lasted until 1988, also cut oil production in Iraq. With the oil shock of 1973-1974 in mind, oil companies bought oil to stockpile in excess of immediate need while motorists began forming long lines at gas stations as prices increased. As had happened in the previous oil crisis, conservation efforts reduced gas tax receipts at the Federal and State levels.

According to an internal 1982 FHWA briefing paper, Caltrider’s position in January 1980 was that the State would not accept ownership of the Federal parkway unless the reconstruction “was of sufficient scope to preclude the need for further capital improvements for at least twenty years,” as reflected in MSHA’s preferred option. “In May, 1980, Maryland revised their position, indicating they were no longer willing to accept ownership regardless of the scope of reconstruction.” [Underlining in original]

Caltrider reiterated MSHA’s position regarding ownership in February 1981, and stated it formally on July 29, 1981, in a letter to NPS Regional Director Manus J. Fish, Jr., and FHWA’s Maryland Division Administrator, Emil Elinsky. The letter began:

Over the past year, we have participated in a number of meetings and have exchanged correspondence concerning the future of the Federal section of the Baltimore/Washington Parkway. The purpose of this letter is to confirm the position of the State of Maryland that we will not assume jurisdiction over the Federal section of the Baltimore/Washington Parkway. Based upon our most recent discussions, it is my understanding that the National Park Service and the Federal Highway Administration understand and can accept the basis for our position.

He recalled the 1972 agreement and the legislative change in 1978 calling for retaining the parkway character of the facility. Studies thus far indicated the cost of rebuilding the Federal parkway to Maryland’s satisfaction would exceed the \$65 million authorized in 1970:

Depending on the specific alternate which may have been selected, such a project could range in cost somewhere between \$200 and \$300 million for the Federal section alone.

Many have expressed the opinion that such a cost would be excessive, especially in light of the close proximity of the major parallel facility of Interstate Route 95 north of the Capital Beltway.

As a result of severe financial constraints, the State can not assure that the level of maintenance effort required to preserve the aesthetic character of the Parkway on an ongoing basis is affordable within an extremely tight maintenance and operating budget situation, particularly when landscaping projects and mowing frequency are being severely reduced on other State Highway facilities.

Traffic was inevitably going to increase on I-95 and the parkway. Therefore, Caltrider recommended that NPS undertake "3R" improvements (resurfacing, restoring, and rehabilitating) to the Federal section to supplement the stop-gap measures undertaken in anticipation of the Bicentennial.

Caltrider concluded:

In sum, we look forward to continuing to work cooperatively with the Federal Highway Administration and the National Park Service toward actions which will (1) result in "3R" improvements on the Federal Section of the B/W Parkway; (2) amend the existing legislation and agreements in such a manner that the Federal Government will continue to maintain jurisdiction over their portion of the B/W Parkway; and (3) provide for long-term improvements to the B/W Parkway at key interchanges where connections to the State system warrant.

Former Secretary of Transportation Harry S. Hughes had become Governor of Maryland on January 17, 1979. When his Secretary of Transportation, James J. O'Donnell, retired in 1981, Governor Hughes appointed former Federal Highway Administrator Bridwell to the position of Secretary. He assumed the post on November 1, 1981. Bridwell, who lived in Columbia between Baltimore and Washington, had been part of the task force that created the Maryland Department of Transportation, while his firm, System Design Concepts, Inc., had performed consultant work on numerous State transportation projects, including the Baltimore-Washington Parkway study. [Linthicum, Tom, "Former Federal Official Named State Transportation Secretary," *The Baltimore Sun*, October 3, 1981]

The FHWA briefing concluded:

The NPS and FHWA initiated joint efforts to develop both the necessary legislation to assure adequate funding and continued NPS ownership and a preliminary plan for RRR improvements. However, this effort was suspended soon after Mr. Lowell K. Bridwell's [sic] was appointed as Maryland's Secretary of Transportation to provide him an opportunity, if interested, to review Maryland's position. To date, Mr. Bridwell has not indicated any position on the matter.

Section 156 (Release of Condition Relating to Conveyance of Certain Highway) of the Surface Transportation and Uniform Relocation Assistance Act of 1987, approved on April 2, 1987

(P.L. 100-17), stated that notwithstanding Section 146 of the 1970 Act and any agreement entered into under the provision, “no conveyance of any road or portion thereof shall be required to be made under such paragraph or agreement to the State of Maryland and the State of Maryland shall not be required to accept conveyance of any such road or portion. Funds authorized by such section may be obligated and expended without regard to any requirement of such paragraph or agreement that such conveyance be made.”

In April 1984, FHWA’s Eastern Federal Highway Division completed its study for NPS on improving the parkway. It then began administering design and construction activities in cooperation with NPS.

In Section 1069 (Miscellaneous Highway Project Authorizations) of the Intermodal Surface Transportation Efficiency Act of 1991, approved December 18, 1991 (P.L. 102-240), Congress authorized \$74 million to be appropriated for renovation and reconstruction of the Baltimore-Washington Parkway in Prince George’s County, with a Federal share of 100 percent.

Sections 1601 and 1602 of the Transportation Equity Act for the 21st Century, approved on

June 9, 1998 (P.L. 105-178), authorized the Secretary to allocate \$11.25 million to carry out an earmarked project, “Reconstruct Baltimore-Washington Parkway at Route 197, Prince Georges County,” again with a 100-percent Federal share. [Baltimore-Washington Parkway, *A Guide to Federal-Aid Programs And Federal Projects*, FHWA, Publication No. FHWA-IF-99-006, May 1999, pages 125-126]

On June 4, 1984, a ceremony took place near the parkway’s intersection with Maryland Route 450 in Cheverly to unveil a large wood and stone marker:

This Parkway Dedicated
To
Gladys Noon Spellman

On October 31, 1980, Representative Spellman was campaigning for reelection when she suffered a heart attack that left her in a coma. Speakers recalled Representative Spellman’s efforts on behalf of the parkway, which was the road she used to commute between her home in Cheverly and Capitol Hill.

A second marker was placed on the other end of the Federal parkway. Maryland had previously renamed its segment the Gladys Noon Spellman Parkway.

(Former Representative Spellman never awoke from her coma. She died on June 19, 1988.)

Subsequent efforts to widen the parkway met the same fate as the effort initiated by the Federal-Aid Highway Act of 1970. Each effort was confronted by strong opposition from citizens and local officials. The Federal portion of the Baltimore-Washington Parkway remains four lanes, except for the six-lane segment approaching the split terminus into Washington via New York Avenue or DC 295/I-295 to Virginia. The parkway is heavily congested during peak periods and many off-peak periods, but its parkway design and safety features have been enhanced over the

years. During the fall, motorists can enjoy a beautiful drive amidst the changing colors of the leaves.

Metro – Open At Last

As 1975 ended and 1976 began, Metro's financial problems had become a major challenge as WMATA was forced to acknowledge an increased cost estimate, prompting local jurisdictions, confronting their own fiscal problems, to resist paying their increased share. Professor Schrag offered several reasons for the cost increases. First, the original estimate of \$2,494.6 million, including \$535.4 million in contingency costs, "was never terribly realistic." Its precision, down to the last hundred thousand dollars "should have shown that it was not meant as an accurate estimate," because no project of this size could be estimated to that degree so early in its development. "Jackson Graham's own assistant suspected that Graham had pulled the figure out of thin air."

Second, construction was harder than expected at the time of the original estimates:

Underground construction is always full of surprises – rock that is too hard, earth that is too soft, all those unmapped utilities. Strikes, storms, and lawsuits could delay construction and add to the cost When the Authority was able to offer contracts in 1969 and 1970, it was dismayed at low bids up to a third higher than its engineers had expected.

Third, changes needed to "mollify agencies, businesses, and citizens drove up costs." While changes were sometimes needed and may have benefited the region, "they destroyed engineers' projections."

Fourth, wrote Schrag, "and by far most significant, were the interlinked issues of inflation and delay." The original estimate in 1968 was based on possible inflation up to 5 percent, but increases would escalate due to factors well beyond WMATA's control, including the Vietnam War and the oil embargo of late 1973 and early 1974. Inflation hit 12 percent early in 1975, affecting the cost of materials and labor and the interest required for construction bonds. [Schrag, pages 171-174]

In theory, WMATA could have raised planned fares to address the cost increases. "Indeed," Professor Schrag wrote, "from the early 1960s through the early 1970s this was the official plan As late as January 1972, the Authority predicted that the fare box would pay all operating and some capital costs. If costs went up, fares would simply be raised by the same percentage, neutralizing inflation."

That was only in theory. "That idea died in 1973, with WMATA's takeover of the metropolitan area's buses." As noted, O. Roy Chalk had granted pay increases to his union employees, recent fare increases had been overturned in court, and the private sector bus managers and public sector Metro officials shared, as noted earlier, a "mutual dislike." With revenue from fares covering only half of bus costs by November 1974, WMATA realized that raising fares would be difficult

and that doing so could conflict with the public service the agency was created to provide.
[Schrag, page 178]

As General Graham retired from WMATA at the end of 1975, WMATA had to address a new report by Damian Kulash of Jack Faucett Associates. Commissioned by the Congressional Research Service, the January 1976 report rejected WMATA's passenger projections, arguing that ridership would be only half the predicted level:

Given these concerns, the report suggested that the federal government deny funding to any segments beyond the forty-one miles then under construction until it had undertaken "a thorough alternatives analysis" that would consider cutting Metro down to sixty-eight or even forty-one miles.

Kulash felt that he had merely put into print what everyone familiar with the project had been whispering in the hallways, but even that action had consequences.

Representative Conte, the Massachusetts Congressman who had helped defeat Chairman Natcher's final effort to withhold District matching funds for Metro, cited the Faucett report "as evidence for truncation," a solution many local officials considered as an alternative to finding the additional revenue to complete the Metro system. Representative Gude, however, said, "If there are interests who wish to kill this system, we can't think of a better way to do it than to stop in mid-stream for a re-study." [Schrag, page 184]

In this context, the opening of Metro service was a looming bright spot. "At the time of the ground breaking, WMATA officials had still hoped to have the first segment of Metro in operation by July 1973 and the system complete by the end of 1979." Several factors rendered those dates obsolete:

Natcher's final round of blackmail in 1971 destroyed that hope. Interruptions in funding, indecision over Union Station, strikes, hurricanes, and court-ordered public hearings all had pushed back the opening date. Ironically, when WMATA finally had all the track and stations ready for the first 4.6-mile segment, it still had to wait for working rail cars. The Rohr company, an aerospace firm that was also building cars for BART in the San Francisco Bay Area, had found the rail business more difficult than it had anticipated and was soon in trouble on both coasts In Washington, the company delivered its first pair of cars in January 1975, half a year late and creaking with defects. The emergency brakes tended to go on unexpectedly, the air conditioning was noisy, and the cars swayed violently. For the next year, WMATA worked to coax forty working cars out of Rohr's Georgia factory and underneath Washington's streets, while Rohr coped with close to

\$50 million in losses on the contract. [Schrag, pages 184-185]

On Saturday, March 27, 1976, WMATA finally opened a 4.6-mile segment of Metro to front page articles in the *Post* and *Star*. The segment linked the Farragut North and Rhode Island Avenue stations – or as Chairman Eagleton of the Senate District Committee put it, a line from "nowhere to nowhere."

The opening “Metro Here and Now” dedication ceremony, staged in the parking lot of the Rhode Island Avenue station, included speeches from local dignitaries and figures from out of the past, including Darwin Stolzenbach, Walter McCarter, and General Graham.

Maryland Governor Mandel acknowledged the existence of “a lot of doubters and a lot of skeptics, and there still are today. This system is going to be completed – and we are going to make sure.” Governor Godwin declined an invitation to the event, but his representative, Secretary of Transportation Whitham, said, “We do have a strong feeling that it’s important for the Metro system to be completed, and we hope the economics make it possible.”

UMTA Administrator Patricelli assured the crowd of continued Federal support. “We want to see it completed. We have indicated that it can and should be completed . . . with prudent management of the resources that are available.”

Mayor Washington also acknowledged the “doubting Thomasas” who thought the subway would never open. “The Metro will bind us all in the metropolitan area closer, bring us all together at our jobs and in understanding each other’s cultures, to a point at which we know and understand each other better.” He added that this day “will be your last free ride – and that’s no stage joke.” Fares would be collected after Saturday.

City council and Metro Board Chairman Sterling Tucker told the 3,000 spectators that they should “doubt no more that Metro is here – 96 miles more is very much on the way.” He added, “it is time to stop talking and start riding.”

Joined by the other officials, Tucker cut a ribbon to open the first Metro line.

On Saturday, 51,260 people rode the 4.6-mile line on opening day, with many riders enduring waits of up to 4 hours to get on the train. So many people crammed into each car that many of them stalled because the doors could not shut properly. [Eisen, Jack, “Metro Opens; Crowds Stall Some Trains,” *The Washington Post*, March 28, 1976; Crosby, Thomas, and Axelrod, Susan, “Metro Era Begins: 51,260 Free Riders Swamp System,” *The Washington Star*, March 28, 1976]

The line was closed on Sunday, but reopened on Monday at 6 a.m. to carry about 10,000 fare-paying customers until closing time at 8 p.m. Peak period trains ran every 5 minutes, with passengers charged 55 cents. Off-peak trains were on a 10-minute cycle, with fares of 40 cents. Because the computerized fare collection system had not been delivered, Metro had to collect fares in the traditional fare boxes common on Metrobuses.

Carlton Sickles, who had been involved with Metro from the start, was one of the passengers. He told Eisen that while working on the project in the 1950s, it seemed to be an unfulfillable dream. Now, he said, “I’m enjoying every minute of it after years of waiting.” Eisen called Sickles among “the most delighted passengers yesterday.”

Although the Monday ridership was higher than expected, the trains operated smoothly, with only a few exceptions, as Eisen reported:

Metro operated 188 of a scheduled 224 round trips during the day according to Cody Pfanstiehl, community relations director. Most of the 36 lost trips resulted from disruptions shortly after noon and in the early evening shortly before service was ended for the day, Pfanstiehl said

Service began at 6 a.m. from the Rhode Island Avenue station at the outer end of the line, and ran almost like clockwork until the noon hour. A balky switch at a track junction delayed the start of outbound service from Farragut North by 15 minutes, and the first train departed at 6:20 instead of 6:05.

The day's longest delay – 53 minutes – came about 12:30 p.m., when a train developed brake problems while switching to reverse direction on track north of the Rhode Island Avenue Station, Pfanstiehl said. No passengers were aboard, but other trains backed up behind the stalled one. [Eisen, Jack, "Metro Use Surpasses Estimate," *The Washington Post*, March 30, 1976]

During the first week of paid service, Metro carried more than 100,000 passengers. Because that number was more than expected, officials wondered if it was accurate. Metro spokeswoman Marilyn McGinty said, "The fare attendants have been taking the count by hand." She thought they might be clicking the hand-held clickers too many times. "The only way to really tell how well we did is after we count the money." [Crosby, Thomas, "Metro Can't Believe Its Own Body Count," *The Washington Star*, April 2, 1976]

Nevertheless, encouraged by the results, Acting General Manager Quenstedt said that officials were considering running Metro on weekends for tourists and shoppers. [Eisen, Jack, "Metro Riders Top 100,000 in Week," *The Washington Post*, April 3, 1976]

Professor Schrag summarized what the results meant:

On Monday, 29 March, the Authority began actually charging money for rides, yet it still attracted 25,000 riders a day to the tiny stub of a rail line. The subway was a hit.

The elation did little to distract WMATA officials from the gun pointed at their heads. Despite the crowds each day WMATA spent \$75,000 more to run the system than could be collected from fares. On Independence Day, the long-awaited Bicentennial, WMATA was humiliated by its failure to marshal enough buses to serve the crowds of fireworks spectators on the Mall. A few days later, it released a new cost estimate of \$5.512 billion, including \$487 million in contingency funds.

Meanwhile, within the administration, officials from the Department of Transportation and OMB had agreed on a \$4.65 billion ceiling for the project. If the entire system could be built for that amount, fine. If not, OMB indicated "shrinking the system to stay within that commitment." Secretary of Transportation William Coleman, warmer toward Metro than OMB budget hawks, moderated that position only slightly, announcing that any federal assistance for a system costing more than the ceiling would only come after WMATA demonstrated "extraordinary efforts to contain costs."

In short, Metro was at least \$800 million in the hole. [Schrag, page 186]

Secretary Coleman, in his autobiography, discussed his efforts to address the funding shortfall:

The Washington Metropolitan Area Transit Authority, or Metro, plan had been carefully designed to serve the District of Columbia and the Maryland and Virginia suburbs in a way that would ensure community and financial support from each jurisdiction. Two federal dollars would be provided for every local dollar contributed. Construction of the first lines was under way. In 1969 the initial projected cost was grossly underestimated at about \$3 billion. By the time I took office, the projection was up to almost \$5 billion The Nixon administration had guaranteed about a billion dollars in bond financing to build the subway, but as the cost projections escalated, this proved to be woefully inadequate.

With the skillful assistance of my budget director Ted Lutz, my deputy John Barnum, and my general counsel's office, and with the wise advice and cooperation of Walter Washington, mayor of the District of Columbia . . . we proposed to use newly authorized congressional authority to transfer interstate highway funding to the transit authority for subway construction. This meant that portions of the interstate system planned for the District of Columbia would never be built and that Metro would be an essential method of commuting from the suburbs to government jobs in the city.

Secretary Coleman and his team expected the transfers would raise almost a billion dollars, but that would not be enough:

We had made a proposal to the Office of Management and Budget for an additional \$1.26 billion, which Jim Lynn, director of the agency, thought was overly extravagant. In fact, he viewed the transit authority's ninety-eight-mile subway plan as far too expansive and expensive. It would be the largest public works project since the interstate highway system. Conservatives had criticized Metro as an exorbitant display of big government in Washington using the taxpayers' money to be a monument to itself. They referred to the proposal as the biggest boondoggle in the history of mankind. Instead, Lynn proposed a truncated forty-one- or sixty-eight-mile system.

As explained in Secretary Coleman's autobiography, he continued working with local jurisdictions to find ways to "serve the entire metropolitan area fairly, facilitate the commute for the many government employees who lived in distant suburbs, and provide a first-class transportation system for tourists and visitors to the nation's capital from all over the world, comparable to the grand systems in London, Paris, or Moscow." In short, "I was not about to give up on the ninety-eight-mile plan."

He scheduled a meeting with President Ford, who had recently called on Lynn to find ways to cut the Federal deficit:

The atmosphere was tense as Ted Lutz, Don Bliss, and I entered the Oval Office on a Monday morning. Director Lynn argued eloquently for the scaled-back plan, making a

number of points that resonated with the fiscally conservative president. I explained the importance of sticking with the original plan to which all the local jurisdictions had committed. I didn't appear to be making much headway with the president, so I ratcheted up the argument.

Cities, he pointed out, were in crisis because they were "facing financial distress, racial unrest, high unemployment, rising crime rates, and the scourge of drug addiction." Instead of "citadels of our civilization," cities were "becoming increasingly isolated, segregated urban ghettos, as the middle class flees to the suburbs":

Having worked in the Washington area for many years, the president perked up a bit. He was all too familiar with the deterioration of many parts of Washington, the urban dead spots between the Capitol and the White House. I argued that the Metro system would knit together the entire metropolitan area as the interstate highway system had knit together the entire country. With hubs and spokes reaching out to distant suburbs, the city center would once more flourish as a magnet for entertainment, sports, and culture.

The president asked some direct questions of each of us. He then paused, puffed on his pipe, and said, "Bill is correct. We should build the ninety-eight-mile systems. Let's find the money, Jim."

Secretary Coleman knew it was "not an easy decision" for the President:

But it was the right decision. We continued to place stringent conditions on federal funding and imposed a \$4.7 billion cap because we were concerned about questionable design features and cost overruns that had plagued construction. Studies to consider more efficient alternatives continued. [Coleman, pages 224-226]

Reality did not cooperate with the cap.

On May 28, 1976, Secretary Coleman wrote what Jack Eisen called "an unusually stern letter" to WMATA Chairman Tucker. The letter was in response to a secret estimate that Metro would cost more than \$5 billion. Eisen reported that the secret estimate was "contained in the newest periodic updating of cost estimates made by Metro's office of program control, but not officially presented yet to the Metro board":

Such periodic revisions were required by the General Accounting Office, an arm of Congress, starting in 1974, as a response to Metro's now-discredited policy of officially maintaining cost estimates for completing the system long after they were outstripped by rising prices.

The old practice had given ammunition to critics such as Chairman Natcher, who "repeatedly estimated, despite Metro's denials, that the project's cost would run between \$5 billion and \$6 billion. The latest figure confirms Natcher's lower projection."

Acting General Manager Quenstedt told reporters that “the new estimates reflect more realistic schedules for completing the system.” He added, “there are no unjustified features or frills” in the secret estimate.

Secretary Coleman’s letter was addressed in friendly terms to “Dear Sterling” and signed “Bill.” In addition, Secretary Coleman referred to “my strong support for the completion of the entire 100-mile system.” Friendly gestures out of the way, he continued:

I am concerned that [Metro officials] may not have taken extraordinary measures to achieve design changes necessary to build the system at the \$4.7 billion figure

You should know that the department’s willingness to participate in funding proposals . . . in excess of \$4.7 billion will depend upon your showing of truly extraordinary efforts made, and substantial success achieved, to keep construction costs to a minimum consistent with safety and operational requirements.

Secretary Coleman directed UMTA Administrator Patricelli to assist Metro in finding ways to reduce costs and “to oversee cost controls consistent with this letter.”

Eisen added:

A Department of Transportation source, explaining Coleman’s decision to send the letter at this time, said the department repeatedly told Metro in soft tones – sometimes in public statements – that significant cost escalation could not be tolerated. The new cost estimate above \$5 billion seemed to defy that policy, the source said. [Eisen, Jack, “Metro Cost Of \$5 billion Alarms U.S.,” *The Washington Post*, May 30, 1976]

On September 24, 1976, Patricelli addressed a special WMATA/COG/TPB meeting at the Mayflower Hotel intended to seek solutions to Metro’s financial problems. He said that the Department of Transportation was demanding cuts of more than \$300 million to the Metro cost estimate. According to the *Post*:

In arguing for more than \$300 million in cost cutbacks, Patricelli said that a study of some Metro projects by his agency showed that costs could be reduced by about 15 per cent. The study recommended as cost-trimming measures a series of changes in construction techniques, almost certain to prompt objections from Metro officials.

These included elimination of concrete walls and ceilings in some subway tunnels, construction of some underground stations closer to ground level, reductions in the size of retaining walls and bridge abutment walls, and use of other steel alloys in the electrified third rails.

He also reconsideration of about 24 miles of three subway lines that he thought could, potentially, be abandoned or served by express buses: The section between Huntington Avenue south of Alexandria to the currently planned terminus at Springfield-Franconia; the Silver Spring to Glenmont section of the line in Montgomery County; and the line between Anacostia and Branch Avenue in Prince George’s County. Patricelli said ridership on those segments may be

less than on other lines and could be served by alternative to rapid rail. He indicated that UMTA would pay for the studies, which were to be performed outside WMATA, possibly by COG's transportation planners.

The *Post* reported:

Patricelli also raised the prospect of further re-evaluation in the future of a proposed subway route from Arlington County's Glebe Road station to Vienna, in Fairfax County. The route is already in doubt because of continuing controversy over proposals for building I-66 from the Capital Beltway to the Potomac River. The planned subway line would run along the highway's median.

Patricelli said that future Federal funds would depend on local officials finding a way to fund subway and bus operating losses as well as repayment of revenue bonds totaling about \$2.5 billion in principal and interest. Metro always had claimed the bonds could be repaid from the fare box, but no one now believed that would be the case. "Patricelli left uncertain whether the federal government will agree – as officials indicated it would almost a year ago – to underwrite 80 per cent, or \$2 billion, of the bond payments."

As the *Star* put it, "UMTA apparently has started to require Metro to meet the same criteria as other U.S. transit systems because of congressional pressure for more review of UMTA grant proposals."

Patricelli called on WMATA to draft a financial plan by November 1977 that covered completing the system, subsidizing operations, and possible truncation of the system. The region "will have to come to grips [by then] with the questions of new financing mechanisms for operating costs, including regional taxes."

Professor Schrag summarized Patricelli's message:

After expressing general support for Metro, Patricelli reiterated the administration's insistence that the system's capital cost be capped at \$4.677 billion, the March 1976 estimate, including inflation. "We must pick a figure and stay with it," he argued. "No financing plan can be constructed around a moving target." Most important, he invoked the "alternatives analysis" policy, which since 1975 had applied to every other new transit system in the nation. Standing before the assembled representatives of the region, he ordered just such an analysis – including "a full range of rail and non-rail alternatives" – of the forty miles of Metro not yet under construction. Everyone understood such a study meant that the administration was considering truncation. [Schrag, page 187]

The reaction to Patricelli's speech was that he had "thrown into turmoil" the longstanding plans for Metro. The *Post* reported:

Patricelli's insistence on a \$4.67 billion ceiling came as a jolt to Metro officials partly because Secretary Coleman himself had taken an apparently more flexible stand last May. In a letter to Tucker, Coleman had urged that costs be held to \$4.7 billion – slightly more than Patricelli's ceiling – and qualified this by saying any increase above that limit would

be contingent on a “showing of truly extraordinary efforts” by Metro officials to keep costs “to a minimum.”

Chairman Tucker called the new demands “a very bitter pill that we’re going to have to swallow.” Quenstedt said, “I am quite pessimistic.” William Boleyn, Metro’s executive officer and comptroller, said, “My off-hand view is that it can’t be done”:

Montgomery County Executive James P. Gleason replied, “It’s a bad deal, Mr. Patricelli,” and described the DOT announcement as “a dagger right into the heart of this (Metro) system – because it just won’t be built.” [Lynton, Stephen J., “Cut in Metro Cost Ordered,” *The Washington Post*, September 25, 1976; Crosby, Thomas, “U.S. Orders Analysis of Need For 3 Metrorail Suburb Lines,” *The Washington Star*, September 24, 1976]

A few days after the speech, Jack Eisen interviewed Patricelli. The article about the interview began:

Robert E. Patricelli, the federal transit official who touched off a controversy by demanding cost reductions and possible cutbacks in Washington’s Metrorail system, said this week that his first goal – of finally being taken seriously by Metro officials – already has been met.

Metro officials had ignored “several pointed and well-publicized warnings” to keep costs down. “I did a little bit of shouting to be heard,” he said. He told Eisen that UMTA would not be rigid about the November 1977 deadline if WMATA was making significant progress by then.

He knew that WMATA and local officials were not pleased with his message. “As I saw it, it was a question of who would take the first step. I don’t know, frankly, if we were right on this, but I think we were.”

The Ford Administration fully supported the use of Interstate withdrawal-substitution funds for Metro. During his speech, he had announced that the Department of Transportation would soon release \$112.5 million in transfer funds.

In releasing the funds to the District and WMATA on October 4, Secretary Coleman had said that “making good use of this additional source of funding is a significant indication of their dedication to the completion of the METRO system.” The funds were based on withdrawal of portions of I-95 and I-270 in the District. Withdrawal of these segments had resulted in the transfer of \$286.6 million to Metro in October 1975. Administrator Patricelli said:

UMTA will continue to process Interstate transfer grants for METRO construction through Federal [sic] Year 1977. Approximately \$475 million more has been budgeted and appropriated through the course of Fiscal Year 1977, an amount that will permit critical construction to continue without delay.

In the interview, Patricelli wanted to clear up a misunderstanding:

Patricelli, in the interview, said many people feel the federal government should continue transferring highway funds to Metro as long as they are still available.

This is wrong, the officials said. Just because the interstate highway program is being conducted without any final cost figure being set “doesn’t mean that such a wrong policy should be carried over to mass transit projects,” Patricelli declared.

He contended that Metro partisans have overlooked the likelihood that the system’s biggest problem will be getting local, rather than federal funding.

He insisted that keeping costs below \$4.7 billion was attainable:

I do believe – I didn’t for a while, but I do now – that over \$300 million can be saved in the construction of the system. It’s not my intention to require [Metro] to accept our engineering judgment. But we do want to board to have the best possible information.

Although he understood the rivalries among local jurisdictions, he hoped to establish a joint steering committee to oversee the studies. [Eisen, Jack, “Patricelli’s ‘Bit of Shouting.’” *The Washington Post*, October 9, 1976]

The WMATA board of directors met with COG and local political leaders to discuss Patricelli’s challenge. Early in the meeting, Jerome M. Alper, Metro’s general counsel, described a proposed regionwide tax on wages. At 1 percent of earnings, it would bring in at least \$175 million a year, far more than Metro’s projected deficit of \$100 million by 1978. When that idea was tabled, Montgomery County’s James Gleason suggested consideration of a “dedicated local tax” that each jurisdiction could impose to support operations within its borders. Debate of the proposal was heated and included a brief shouting match between Gleason and Chairman John F. Herrity of the Fairfax County Board of Supervisors. In the end, COG adopted the suggestions.

The District had been leading the push for a regional tax, but District officials denied the change in plans was a setback. Chairman Tucker said he was “very satisfied with the result of that vote,” and suggested he may propose a tax on wages earned in the city. Congress had always rejected such taxation of District and suburban residents who worked in the city, but Tucker suggested the outcome might differ this time because the tax revenue would support Metro, unlike previous proposals aimed at supporting the District government.

The leaders rejected a regionwide tax to pay for rail and bus deficits, although political officials agreed to consider imposing local taxes that would be earmarked for the same purpose. At the same time, they decided to ask the Federal Government to drop the demand for shortening the Metro system.

District planning director Gilbert suggested that local taxes might work if the revenue were put into a common fund for systemwide subsidies. That possibility had not been raised during discussion. But Herrity, described as “an acid-tongued critic of Metro policies,” said there was no possibility that local jurisdictions would give up control of their tax revenue to Metro. As Eisen pointed out:

Northern Virginia came closest in the region to achieving a transit tax this year. The General Assembly approved a 4 per cent regional sales tax on gasoline. It was not imposed because Fairfax City refused to join in what, by law, needed to be a unanimous action by the affected three cities and two counties.

Delegate Robert E. Harris (R-Fairfax) had opposed the legislation in the General Assembly and predicted that the chances were slim for further consideration of the idea in 1977, an election year for State and local offices in Virginia.

In a separate action, Prince George's County Executive Winfield M. Kelly, Jr., introduced a proposal to ask the White House to drop study of alternatives involving truncation. His proposal suggested that the study should proceed pending a White House decision. He explained the contradiction by saying, "We are going to take a very strong stance, with our feet firmly planted on both sides of the fence." The proposal was adopted. [Eisen, Jack, "Regional Metro Tax Rejected," *The Washington Post*, October 16, 1976]

In November, COG and the Metro board established a 12-member committee of elected and public officials to study alternatives to several Metro extensions as demanded by Administrator Patricelli. Based on his list of lines to be studied, the committee agreed to study several options as summarized by Eisen:

Construction of the line as now planned from National Airport through Alexandria to Huntington station in southeastern Fairfax County, but eliminating a branch from the proposed Metro car storage yard and shop in Alexandria, to Springfield-Franconia. However, a partial construction of the latter line, as far as Van Dorn Street, Alexandria, also will be considered.

Termination of the Branch Avenue (Suitland) line at the Anacostia station, or at some station beyond, possibly Naylor Road.

Inclusion of the Vienna line, westward from the Glebe Road station in Arlington, regarding of whether Secretary of Transportation William T. Coleman Jr. decides to approve Virginia's construction of Interstate Rte. 66. Metro would occupy the I-66 median. Consideration will be given to termination the line at Glebe Road or at West Fall Church.

He added:

The regional committee endorsed a request by the Montgomery County government that the subway from Silver Spring to Glenmont, which was on Patricelli's list, be exempted from the study. The line from downtown to Silver Spring station is scheduled to open next November.

If the exemption request is turned down, the study will consider terminating the line at Silver Spring or extending it as far as Wheaton. The idea of ending it at Forest Glen will not be considered.

As technical coordinator, the steering committee appointed George V. Wickstrom, COG's director of technical services. [Eisen, Jack, "Metro Sets Cutback Study," *The Washington Post*, November 20, 1976]

I-66 – Back From the Dead

As Leland White pointed out in his history of the I-66 dispute, the anti-highway forces, in the elation at their seeming victory, had overlooked Secretary Coleman's statement that, "This decision is without prejudice to any further consideration on the part of the VDHT of the need for a non-Interstate commuter highway in the I-66 corridor." In short, Secretary Coleman had not ruled out the possibility that a road of some sort could be built in the corridor. [White, pages 62-63]

The distinction was not lost on Commissioner Fugate or Governor Godwin. Although Fugate considered the Coleman decision "a grievous mistake for the commonwealth," he saw the Coleman caveat as inviting some type of road in the corridor, if not an Interstate highway. In an interview, Fugate said, "I haven't given up the idea of building a highway in that corridor no matter what kind of highway you call it":

I refuse to believe that the secretary didn't mean what he said and wouldn't go a long way to ameliorate the situation [because of] what he sees is the need for a highway in the corridor. Now he must be prepared to tell us that will be done. We don't have the money.

Secretary Coleman's executive assistant, Don Bliss, told the *Post* that the Secretary "does not want to prejudge anything; he has to decide the issues when the facts are presented." He had rejected I-66 as presented to him, but "was not trying to establish priorities in the corridor for all time." However, by turning down I-66, Secretary Coleman had rejected the use of Interstate construction funds in the corridor.

Arlington County Board member Munsey, informed of Fugate's statements, said, "I regret that the state authorities are still pursuing a lost cause. I would hope they would come around to the point of view of [what] the governments and people of Northern Virginia want." [Shaffer, Ron, "Va. Insists On Some I-66 Road," *The Washington Post*, August 22, 1975]

To clarify Secretary Coleman's intent, Governor Godwin and Fugate met with him on September 11, 1975, for an hour and 15 minutes. The *Post* reported that they asked the Secretary to reconsider his rejection of I-66:

Virginia Highway Commissioner Douglas B. Fugate . . . said from home in Richmond last night that Coleman "agreed he would reconsider his decision if the governor submits a petition for reconsideration. Fugate said Coleman was "not specific about what any new plan should include"

Gov. Godwin said after the meeting that "I can't conceive of anything but a chaotic situation unless I-66 or some alternate road is put in that corridor."

Governor Godwin added that Fugate and his staff would consider ways of modifying the highway proposal “that might be feasible . . . and see how that ties into Metro rail.” As for whether Secretary Coleman encouraged the prospects for reviving I-66 or a modified highway, Governor Godwin said, “Well, he didn’t tell us we couldn’t write him.” [Shaffer, Ron, “Gov. Godwin Asks Coleman to Review Funding for I-66,” *The Washington Post*, September 12, 1975]

Governor Godwin’s letter to Secretary Coleman was released on September 18. The letter informed Secretary Coleman that reversal of his decision on I-66 was “warranted, among other reasons, because of changed conditions occurring subsequent to submission of the environmental impact statement, as well as the increasing likelihood that the Metro line will not be constructed in the commonwealth as presently planned” in view of WMATA’s financial troubles. I-66 was the “only feasible” way to relieve the area’s “critical transportation problem.” [Edwards, Paul G., and Ritchie, Joe, “Godwin Says Full Subway Is Unlikely,” *The Washington Post*, September 19, 1975; “Va. Urban Mass Transit Pressed,” *Metro*, *The Washington Star*, September 19, 1975]

Beginning in early October 1975, as noted earlier, Governor Godwin, Fugate, and northern Virginia officials were in a dispute involving the \$15.2 million in gasoline tax revenue the General Assembly had voted for use on Metro. In a meeting with northern Virginia officials in Richmond on October 23, Governor Godwin and Fugate appeared to ease opposition to the use of Interstate substitution funds for Metro. The governor was willing to spend the funds, if they materialized, in northern Virginia, but he cautioned that he opposed “putting it all” or “just flopping it over” to “bail out” Metro. The State had other problems, too.

Fugate suggested that the Northern Virginia Transportation Commission work on proposals for mixed use of the I-66 funds for Governor Godwin to present to Secretary Coleman at their next meeting, scheduled for November 5. Governor Godwin, who said he did not believe Metro alone would solve the area’s traffic problems, suggested the commission consider low-density, commuter-road uses for the I-66 corridor, including exclusive bus lanes and local road access to the Metro line in the right-of-way.

Rail rapid transit advocates were relieved by Governor Godwin’s apparent commitment to diverting I-66 funds to other northern Virginia projects, including some Metro construction work.

That same day, October 23, northern Virginia officials, including I-66 opponents, established a committee to consider new highway designs, such as a four-lane expressway for buses and carpools, as a way of freeing Federal funds for Metro. Covering the decision, the *Post* reported that the decision was the “first public movement” since Secretary Coleman rejected I-66 and Governor Godwin refused to use the Interstate withdrawal/substitution to shift funds to Metro rail construction in the corridor:

The rapid agreement by the northern Virginians to explore a compromise indicated that the plan to reopen consideration of a highway in the corridor might have been agreed upon informally before today’s meeting. [Kelly, Brian, “Godwin Appears To Ease Stand On Metro Funds,” *The Washington Star*, October 24, 1975; Edwards, Paul G., “Panel to Study I-66 Alternate,” *The Washington Post*, October 24, 1975]

The ad hoc committee quickly agreed to an Arlington County proposal to build a two-lane highway for buses and carpools between the Glebe Road Metro station in Arlington County (scheduled to open in July 1978) and planned Vienna station (to open after 1980) near the Capital Beltway. Arlington County Board's Munsey explained the plan: "We want to get people to get in the habit of riding the rail system."

The committee did not address the use of the expressway during non-peak periods. The goal was to free I-66 money not needed for the expressway to be shifted to Metro. The facility was considered temporary because the busway would be removed as Metro opened in the right-of-way.

The committee wanted three-fourths of the substitution funds reserved for Metro construction. Arlington County Board's Munsey said, the road would "be torn up as Metro advances westward." Delegate Harris of Fairfax doubted Governor Godwin would accept the proposal, but added:

We can't ignore the needs of the people on the west side of Fairfax County where growth has saturated existing roadways. There must be a compromise between Fairfax's needs and the impact on Arlington. [Yaeger, Deborah Sue, "2 Lanes Urged for I-66 Route," *The Washington Post*, October 30, 1975; "A New I-66 Alternative," Metro, *The Washington Star*, October 30, 1975]

In a meeting with the commission on October 31, Fugate made clear that he and Governor Godwin preferred the six-lane I-66 that they still hoped Secretary Coleman would approve – to the busway. Governor Godwin, Fugate said, was "very reluctant to put even \$1 of highway funds into Metro He considers Metro a bottomless pit as far as costs, and he was appalled by the estimate of operating costs deficits the people of Northern Virginia will have to pay."

Fugate also doubted a two-lane busway, or even a four-lane busway, would be adequate "considering the traffic need has been set at eight lanes." A four-lane busway might suffice if residents were "willing to continue with a great deal of congestion" on parallel roads.

The *Star* account of the meeting concluded:

As the 90-minute conference ended, State Sen. Omer L. Hirst, D-Fairfax, was politely insisting that any compromise should be based on Metro, and Fugate was quietly answering that a compromise should begin with the I-66 design and move on from there.

Their courtly exchange gave no hint of the demand of Virginia House Majority Leader James M. Thomson, D-Alexandria, that Fugate should resign. Thomson made his irate demand in a letter to Fugate earlier this month, after charging that Fugate had reneged on a promise to allot \$15 million in highway funds for Metro construction this year.

Yesterday, Thomson accused Fugate of misleading the General Assembly on mass transit funding, adding, "His usefulness as a commissioner has ceased." [Kast, Sheila, "Godwin Cool to Busway in I-66 Corridor," *The Washington Star*, November 1, 1975]

Fugate said that Thomson's charges had "no substance whatsoever," adding that, "I certainly made no commitment to any continuing program of aid to the Metro system and I was in no position to make such a commitment" in view of State law governing the highway trust fund. As for Thomson's demand, Fugate said "there's no question about my ever resigning." Fugate, 69 years old, acknowledged that he had talked with Governor Godwin about the possibility of retiring before his four-year term ended. [Associated Press, "Va. Highway Chief Rejects Demand That He Resign," *The Washington Star*, November 9, 1975]

On November 4, residents of northern Virginia went to the polls. Arlington County voters rejected several bond issues, including a \$25 million bond to pay the county's immediate share of Metro construction. It was the first time a local jurisdiction had rejected a bond issue for Metro construction. Board Member Munsey, who did not seek reelection, called the defeat "tragic" because it endangered the tenuous funding agreement. "Everyone is waiting for everyone else to make a firm commitment to the system. One would have thought that Arlington County, which has 10 of 11 Metro stations under consideration, would have been at the forefront, affirming that the subway is essential and that we have to pay for it." Arlington County, he said, would consider other options. "Paying for Metro out of current taxation would mean a startling tax increase."

A Metro spokesman downplayed the defeat. It would not "endanger the completion of the system. Arlington has contracted to pay for [its share] of Metro construction, and it will just have to find another way to raise the money." General Manager Graham saw the rejection of the revenue bonds as "reflective of the economy," not a rejection of Metro.

In Fairfax County, I-66 backer John Herrity was elected chairman of the board of supervisors. He saw the vote as one of the first "mandates of the people" for construction of I-66. In January 1974, the board had voted, 5 to 4, to oppose the Interstate, but the majority included two members who had been defeated, including Chairman Packard. Herrity pointed out that one factor in Secretary Coleman's rejection of I-66 was local government opposition. He predicted that Fairfax County would reverse its position once the new board took office.

Post editors agreed that Arlington County remained committed to paying its \$25 million by some means. "But the question now is how the result will be interpreted by other governments of the region as they continue to try to meet their shares of the Metrorail costs in the future." The vote was in contrast with 1968 when "Arlington's voters backed it overwhelmingly." While the Federal Government was seeking ways to pay its share, "the local jurisdictions – including Arlington County – must find ways to meet their obligations to support a comprehensive, regional Metrorail system." [Yeager, Deborah Sue, "Arlington Voters Reject Metro, Six Other Issues," *The Washington Post*, November 5, 1975; Seaberry, Jane, "Herrity Sees Reversal on

I-66," *The Washington Post*, November 6, 1975; "The Defeat of the Metro Bond Issue," *The Washington Post*, November 6, 1975]

Secretary Coleman ventured to Richmond for an hour-long November 5 meeting with Governor Godwin and Fugate. After the meeting, Secretary Coleman told reporters that his rejection of I-66 was not irrevocable, but he would need concessions from the State that he did not disclose.

At the same time, General Graham was on Capitol Hill where he revealed that the cost of completing Metro had increased by \$200 million, largely because of inflation, and could rise as high as \$5 billion. He stated that WMATA would not seek Federal-aid beyond the estimated \$4.65 billion. He added that due to problems securing subway cars, Metro would have to postpone the opening of the first segment to January 1976.

Secretary Coleman assured Governor Godwin that the Federal Government would not let the cost of Metro exceed \$4.6 billion. [“Stymied I-66 May Have New Chance,” *The Washington Star*, November 6, 1975; Lynton, Stephen J., “Metro Subway Cost Estimate Raised Again,” *The Washington Post*, November 6, 1975]

During an interview with *Post* reporters in early December 1975, Secretary Coleman suggested a compromise highway-subway combination in the I-66 corridor as part of a financial package for Metro. He said:

I know this is going to make my environmentalist friends unhappy, but in Northern Virginia there’s a great need for some method of moving traffic and cutting down the traffic jams on U.S. 50 and the George Washington Parkway. Secondly, we’ve got to build a highway to move traffic swiftly from Washington to Dulles Airport.

He did not think Metro rapid rail transit was the sole answer:

“Maybe we should build Metro first and see what happens,” he said. But then,” he added, “No. I at least think Metro and a highway should go forward together.”

He used the phrase “high-speed” to describe the type of highway he had in mind.

In the meantime, he was holding up his report to President Ford on Metro financing until he resolved the status of Interstate highways and possible substitution of funds towards completion of the full Metro system. He had talked with Virginia and District officials and planned to talk with Governor Mandel:

Coleman seemed to be saying that he would need guarantees that such transfers would be made before he would go forward with the rest of his plan. According to informed sources, Coleman also favors legislation that would provide 80 per cent federal funds to retire the revenue bonds.

Coleman also said that he expected some kind of audited guarantee that the construction cost [of Metro] would not exceed \$4.6 billion. “We have to put a lid on it somewhere,” he said, adding he felt that was enough money for any contingency

Referring to local officials, he added, “It’s their move”:

If area jurisdictions do not provide guarantees of maximum cost and transfers of highway funds, Coleman said, “These municipalities are on the hook. They’re going to be paying for bonds, and not have a Metro”

Coleman also said he was convinced that Metro could substantially ease the movement of traffic and people in the area “if they build Metro right and provide the right kind of parking lots” at outlying Beltway stations. Then, he said, the subway can be successful “if we have elected officials who have the guts to tell people they can’t drive into the city.”

A spokesman for VDHT said its staff was working with FHWA and UMTA on options for the I-66 corridor. “It’s important to recognize that any highway plan will have to rely on federal interstate system funds because that’s the only money there is.” [Feaver, Douglas B., and Lynton, Stephen J., “Highway, Metrorail Suggested in I-66 Corridor,” *The Washington Post*, December 12, 1975]

On December 18, Chairman-elect Herryty met with Governor Godwin and Fugate to discuss a highway-subway compromise. Under the proposal, VDHT would shift \$50 million in I-66 substitution funds to Metro while providing a four-lane commuter highway in the I-66 corridor. Herryty had discussed the idea with Chairman-elect Ellen Bozman of the Arlington County board. Although she was willing to discuss the idea, she saw little difference between a four-lane and eight-lane highway. “With a four-lane highway, there is no guarantee it will not become a six or eight-lane highway.” She thought her county might be more receptive if the road ended at the Glebe Road Metro station, but State officials opposed that option.

The *Post* reported:

Fugate said yesterday that although Richmond still wants a completed eight-lane Interstate 66, he has told Northern Virginia representatives that “if they come up with a compromise that sounded reasonable, we could discuss it with” Secretary Coleman. [Feaver, Douglas B., “Accord Sought On I-66,” *The Washington Post*, December 18, 1975]

A few days later, on December 20, the Arlington County Board voted unanimously to reject a compromise highway-subway facility as suggested by Secretary Coleman. The board also rejected paying for Metro construction or operation if its construction was predicated on construction of I-66. The resolution expressed the board’s “willingness to seek a genuine compromise” involving the upgrading of roads near the I-66 corridor. [Yaeger, Deborah Sue, “Arlington Voters Reject Metro, Six Other Issues,” *The Washington Post*, November 5, 1975]

The four-lane compromise appealed to some officials in Arlington and Fairfax Counties. Outgoing Arlington County Board Chairman John W. Purdy said that compromise was still possible, despite the board’s recent rejection of Secretary Coleman’s suggestion. “I think it’s time for the state highway department to come forward with a new proposal,” such as Herryty’s four-lane proposal. It would, Purdy said, establish “two new extremes between which there is a possibility for negotiation.” [Yaeger, Deborah Sue, “Arlington Board May Shift on I-66,” *The Washington Post*, December 24, 1975]

Herryty, in his inaugural address as chairman on December 31, acknowledged the county’s fiscal difficulties. The county would have to cut back, impose a stricter hiring freeze, and revise its

commitment to Metro. “I want to see a balanced transportation system of highways and rails in this area . . . but I have not seen any plan for building it that does not rely on the tooth fairy to bring us a half billion dollars.” He promised to ask the board “very soon” to approve a “compromise” I-66 proposal – a four-lane highway with Metro in the median. [Rosenfeld, Megan, “Herrity Urges I-66 Compromise,” *The Washington Post*, January 1, 1976]

As he had predicted, the Fairfax County Board of Supervisors endorsed, by a 6-to-3 vote on January 5, a four-lane highway in the I-66 corridor for peak-period buses and carpools. Supervisor Audrey Moore of Annandale, who voted against I-66 on the previous board, voted for the compromise, saying:

I still oppose the concept. However, I see a tremendous need for express bus lanes, particularly as we may not be able to complete the Metro bus [sic] system because of its costs. I don't see any other alternative except to support it.

Supervisor Alan H. Magazine of Mason voted against the busway compromise. He warned that “if a four-lane highway is built, pressure will be there from the day the ribbon is cut to open it up to commuter traffic.”

Herrity planned to meet with other northern Virginia jurisdictions, Virginia highway officials, and the U.S. Department of Transportation to advance the plan.

Fugate said of the January 5 vote that he was “gratified that the board has recognized the need for an interstate-type highway in the corridor,” adding that the board’s support “would certainly help to influence the Secretary.” [Seaberry, Jane, “Fairfax Shifts, Votes 4-Lane I-66,” *The Washington Post*, January 6, 1976; Green, Mary Margaret, “Fairfax’s Flip-Flop Puts I-66 Back in the Picture,” *The Washington Star*, January 6, 1976]

(On January 10, Chairman Herrity, 43 years old, suffered the first of two heart attacks and was admitted to Fairfax Hospital. They would keep him away from board activities for 2 months. Vice Chairman Martha Pennino assumed Herrity’s responsibilities as chairman of the Fairfax County Board of Supervisors.

(When Chairman Herrity returned to work on the board on March 29, he was welcomed back with what the *Post* described as “flowery speeches and flowers” (the flowers and a corsage were for Pennino), after which he quickly angered board members by attempting to convince them to withhold the county’s \$1.7 million payment to Metro, due in January 1977. The \$1.7 million was in the county’s proposed FY 1977 budget, but was not funded; a bond referendum would be required to secure the funds.

(After a lengthy presentation by WMATA, Herrity argued that the authority should do a complete reevaluation of the county’s rapid transit needs and the location of Metro stations based on current population and projections, instead of the 1968 data used to develop the present alignment. WMATA officials said such a review, which might result in changing station locations, would take a year to complete.

(Supervisor Alexander was infuriated, saying, “I am ticked off! I am really ticked off! His timing is really atrocious.” Alexander was to meet with Governor Godwin on March 31 to encourage him to support General Assembly bills giving northern Virginia \$10 million for Metro and authorizing area jurisdictions to impose a 4-percent “piggy-back” gas tax on top of the State gas tax to pay for Metrobus deficits. “I will cancel our meeting with the governor on Wednesday if this passes. I’ve had it.” He explained, “I don’t see any point in going down. If you’re not willing to pay for this thing [Godwin is going to say], obviously, you don’t need the money. I’m serious!”

(Supervisor Magazine was angry, too. “If this passes it is an obvious decision not to continue Metrorail.” The *Post* continued, “a raft of Metro executives had beaten a hasty retreat after watching the Board come close to voting to withhold the county’s share of Metrorail construction costs.”

(After the meeting, Herrity told reporters in the lobby, “This has nothing to do with the meeting with the governor.” Moreover, he said, “I think he’d be more impressed with a conservative attitude toward Metro.” The *Star* reported he said “cautious” instead of “conservative.” The *Post* observed, “In another corner of the lobby, Alexander fumed.” [Seaberry, Jane, “Herrity’s Condition Is Called Serious,” *The Washington Post*, January 12, 1976; Rosenfeld, Megan, “Herrity Is Welcomed Back, Then the Fighting Begins,” *The Washington Post*, March 30, 1976; Green, Mary Margaret, “Herrity: First Flowers, Then Brickbats,” *The Washington Star*, March 30, 1976])

Internal pressure on the Arlington County Board of Supervisors came from the county’s director of highways, H. S. Hulme, Jr. He warned board members not to gamble on winning their fight against I-66. “You can’t say whether the dice are going to roll box cars or sevens,” he said. The county would win if I-66 were not built, but if it is built without county input, county officials will miss an opportunity to shape the facility. He cited the reversal in Fairfax County:

Hulme said that Arlington should do the same thing. He added that although there never will be a firm guarantee that the road will stay four lanes – critics of I-66 say it will grow to an eight-lane monster – skilled planning maneuvers by Arlington could virtually assure a four-lane wide commuter highway. [Axelrod, Susan, “Arlington Board Warned: Endorse I-66 Compromise,” *The Evening Star*, January 15, 1976]

A *Post* editorial summarized Secretary Coleman’s original decision, then said, “Nothing has happened since to change the validity or wisdom of this argument. Yes, there is suddenly talk of a ‘compromise’ in a situation that cannot logically be compromised”:

The construction of a highway in the I-66 corridor is either prudent or not prudent, whether we are talking about an eight-lane, six-lane or four-lane freeway

Mr. Coleman himself has encouraged this “compromise” talk, first in a hedged reference to the legality of a state-financed “commuter highway” in his original statement last August, and secondly in an off-hand remark to the same effect to a Washington Post reporter a few days ago

The reason that the I-66 controversy has flared up again (and that both Mr. Coleman and some Fairfax supervisors seem to have changed their minds) is not that there was anything wrong with the original decision, but that the Virginia Department of Highways and Gov. Mills E. Godwin still want their freeway and can wield a powerful club to get it. The state has the legal right to refuse to transfer all or part of the \$190 million earmarked for I-66 to help provide Metro rail transportation.

Metro was “in dire need of money and is draining the budgets of all counties in the region.” The *Post* agreed with former Arlington County Board Chairman Purdy “that the Virginia counties should seriously negotiate with the Virginia State Highway Department for all or a good portion of the money they hold in ransom.” At the same time, the Fairfax County board’s “opening acceptance of a vague and dangerously bad bargain is a poor way to start serious talks.” [“The Revival of I-66,” *The Washington Post*, January 9, 1976]

Governor Godwin addressed the opening session of the General Assembly on January 14, 1976. Stressing the State’s dire fiscal situation, he said his budget proposal would not call for new taxes, general bond issues, or money for Metro rail. The *Post* reported:

Godwin spoke with skepticism of rail transit as a solution to urban transportation, citing the high cost of Metro and other systems.

While denying direct aid to Metro, however, he gave the clearest indication yet that he would support transfer of some money earmarked for completing Interstate Rte. 66 through Arlington to Metro if local officials agree to a reduced version of the expressway.

The *Post* added that the denial of Metro funding bills “brought forth immediate vows from area legislators to get the money into the appropriations act on their own.” [Edward, Paul G., Godwin: No Money For Metro,” *The Washington Post*, January 15, 1976]

Star editors speculated that “Virginia state officials, ensconced in their Richmond offices, apparently think Northern Virginia is run by dumbos.” The editors could understand if the reason for Governor Godwin’s refusal to fund Metro was based on the State’s very real fiscal problems. “But it appears that a major reason is that the governor and state transportation officials simply aren’t sold on the idea of building subways in Northern Virginia.” They were, as a result, second guessing local officials on local needs:

If Gov. Godwin and state transportation officials have a better idea on how to move commuters in the Washington area more efficiently, it’s about time they imparted that wisdom to Arlington, Alexandria, Fairfax and Falls Church.

So far, all state officials seem to be interested in is getting a highway built in the I-66 corridor, a project that has been stymied for years by protests from citizens and local governing bodies.

The editors thought that some sort of highway, possibly the four-lane compromise commuter road, would be built, but the problems in the area should not be “viewed in a single dimension.” The planned Metro line was “essential, in our opinion, if the metropolitan area is to have a

balanced transportation system.” Metro’s escalating cost was threatening the line’s viability but “the foot-dragging of Virginia officials has added to the problem.”

They urged northern Virginia’s delegates to the General Assembly to fight for Metro funds, if allowing only local jurisdictions to add a 4 percent tax on gasoline sales for the purpose:

We hope that Gov. Godwin and Mr. Fugate will support the local tax proposal, although we’re not too encouraged that they will. It also would be helpful if they would reconsider and include some Metrorail construction funds in the new budget. [“Virginia Reneges on Metro,” *The Washington Star*, January 15, 1976]

Governor Godwin made his views clear during a press conference on January 20. He opposed the use of State funds for Metro, which he called “an apparent financial disaster.” He also opposed giving local governments piggy-back taxing authority to pay for Metro or bus service (both were “obviously hopelessly deficit operations”). He said, “There is not a rail transit system in the country that is making money.”

However, his budget, released on January 19, included the \$15 million in highway funds for transit-related highway improvements, such as bus express lanes and fringe parking lots. This was the funding the General Assembly had approved in 1974 for northern Virginia. [McAllister, Bill, “Godwin Still Against Aid For Metro,” *The Washington Post*, January 21, 1976; “Money Hopes Dashed,” Metro, *The Washington Star*, January 21, 1976]

After meeting with Secretary Coleman on February 25, 1976, Governor Godwin said the Secretary asked the State to submit an I-66 plan “on a scale of lesser dimensions than the original proposal . . . that would not harm the environment.” Fugate said the State’s proposal would follow Herrity’s compromise of a four-lane I-66 limited to buses and carpools during peak periods. During peak periods, the restrictions would apply only in the direction of the flow of rush-hour traffic. An exception would be made for traffic going to and from the Dulles International Airport Access Road. I-66 would be open to all traffic at non-peak times, although Governor Godwin suggested that “heavy equipment” traffic might be curtailed. Fugate expected to submit the plan “in about 10 days.”

According to Deputy Commissioner Harwood, the new plan was tailored to meet Secretary Coleman’s principal objections to the earlier I-66 proposal. Opponents complained that the new concept of a four-lane highway could be widened as originally designed to six or eight lanes. The State’s proposal would not include a prohibition against widening, but Harwood said that the roadway would be so narrow in some locations that adding another lane would require additional right-of-way. He expected opponents to file a lawsuit to block the compromise roadway.

The proposal also did not say what would happen to the funds saved by constructing four instead of eight lanes. Northern Virginia officials wanted that funding to be made available to Metro and Metrobus needs.

The *Post* reported:

Coleman said in an interview last night that “Obviously any state has the right to propose a new highway,” and said he promised Godwin a quick decision if a new proposal for

I-66 were made. Coleman said several times that nothing in the conversation could be interpreted as indicating that he would “favorably prejudge” a new application

Coleman said he told Godwin that “In my judgment there would have to be better access to Dulles” at some point in the future. “He kept saying I-66; I never used the word.”

Godwin said he believes Coleman “has the necessary authority to act on an alternate plan” without the drafting of a new environmental impact statement. But Coleman said that any new road project would require a new statement.

Godwin also said that both he and Coleman would like to have the concurrence of all local governments in the new plan, but the governor added, “I did not get the impression he feels that is absolutely necessary.”

During the press conference, Governor Godwin indicated he might accept a regional gas tax hike along the lines of a bill the House of Delegates had approved on February 20. He explained that the gas tax revenue went into a special highway trust fund, and was not available for other purposes. “But if that’s the way they [northern Virginia] wish to help fund some of the problems they have, then we have to consider whether it ought to be permitted or not, and I’ve not ruled that out.”

The *Star* reported that northern Virginia legislators thought they had worked out a deal. If area officials supported Governor Godwin’s four-lane proposal, he would make \$20 million available for Metro for the next two fiscal years. The funds would come from the savings resulting from building a four-lane, instead of an eight-lane, highway. Governor Godwin did not mention such a deal, but “Northern Virginia legislative sources claim a tri-cornered deal involving I-66, metro, and the Godwin administration has been agreed upon.” [Edwards, Paul G., and Feaver, Douglas B., “Godwin Sees Hope for Modified I-66,” *The Washington Post*, February 26, 1976; Kelly, Brian, “A Deal in Virginia: State Aid for Metro In Return for I-66,” *The Washington Star*, February 26, 1976]

(Governor Godwin appears to have been promising to secure withdrawal of I-266, including the Virginia approaches to the Three Sister Bridge, from the Interstate System to secure substitution funds for other purposes. Local officials apparently thought that the savings from building a four-lane I-66, instead of a six- or eight-lane facility would become available, but that was not the case. Contrary to a common misunderstanding by highway opponents, the reduction in the number of I-66 lanes did not result in the use of leftover Interstate Construction funds – or an equivalent amount of general Treasury transfer funds – for Metro.

(The Interstate System was built on a cost-to-complete basis. BPR and later FHWA provided 90 percent of the cost of completing each segment to full Interstate standards. If the final cost was less than the amount shown in the most recent ICE, the leftover funds remained in the Interstate Construction account for use on other Interstate highways. The balance could not be shifted to

transit or other highway projects. The transfer funds from the Interstate withdrawal and substitution program existed only when, instead of building the Interstate route, the Governor and local officials decided to withdraw it from the Interstate System instead of building it.)

On March 8, Virginia formally submitted the compromise four-lane proposal to Secretary Coleman. At an estimated cost of \$140 million, I-66 would be restricted during peak periods in the primary direction to four-person carpools, buses, and Dulles International Airport traffic. Heavy trucks would be banned at all times to create what State highway officials called “a parkway-like facility.” This cost was \$47.3 million less than the estimated cost of the earlier eight-lane I-66 proposal.

The plan replaced the double-deck roadway in the Spout Run Parkway area with a four-lane roadway in a 25-foot deep trench-like structure south of Spout Run Parkway. The new highway included bicycle trails, park development, and other environmental features. It would not encroach on Westover playground and would “reduce by more than one-half the encroachment on Bon Air Park.” It also included a 4.6-acre neighborhood park with a pond in Arlington near Quincy Street. “The four-lane proposal will reduce the number of additional families to be displaced from 161 to 105.”

Metro would run in the median for about 6 miles from the Beltway to Harrison Street in Arlington. The project would be designed so that the highway project would cover all Metro costs except placing ballast, rails, and Metro stations in the median. In VDHT’s view, the depressing of the four-lane highway and elimination of trucks meant that Metro operations would generate most of the noise resulting from the facility.

Deputy Commissioner Harwood expected Arlington County to continue to oppose any highway in the corridor. The State still favored its earlier version, but he added, “Four lanes is better than nothing.” [McAllister, Bill, “Va. Asks Approval of Four-Lane I-66,” *The Washington Post*, March 9, 1976; Kelly, Brian, “Virginia’s Trying Hard to Reduce the Noise Over I-66,” *The Washington Star*, March 9, 1976]

When the Virginia Assembly completed its 1976 session, Governor Godwin criticized it as “not one of the more praiseworthy sessions of our legislature.” In answer to questions from reporters, he expressed doubts about two northern Virginia mass transit aid bills. The bills appropriated \$10 million in State gasoline tax revenue for Metrorail and provided authorization for northern Virginia jurisdictions to impose a 4-percent sales tax on gasoline purchases. The estimated \$11 million annual revenue would be used to help pay for rail and bus operating deficits.

Governor Godwin said that both bills had been “flagged for mature consideration.” The *Post* reported:

[He] said that he will not be able to sign two Northern Virginia mass transit aid provisions that he did not propose until he makes a basic policy decision about the direction the state government should take in supporting county and city transit programs.

“We have to bear in mind how much of this money is going for Metrorail construction,” he said, “and we have to see how much of a precedent we are setting. If we approve this, the city of Richmond might come in next year and ask for funding of its downtown toll roads.” [Edwards, Paul G., “Godwin Attacks Assembly Record,” *The Washington Post*, March 18, 1976]

(This was an apparent reference to the Richmond-Petersburg Turnpike, which carried I-95 through the two cities.)

On May 12, Governor Godwin vetoed the bill appropriating \$10 million in State aid for Metro construction. His veto message stated:

Until there is a firm and reliable estimate of ultimate costs of Metrorail and a clearer delineation of the funding responsibilities of the federal and local governments, I do not believe the state should become further involved in this threatened financial debacle.

He approved the bill allowing local jurisdictions in northern Virginia to piggy-back a 4-percent gas tax on the State gas tax. The bill required all five jurisdictions to approve the added tax before it could take effect.

In one of those jurisdictions, the seven members of the Fairfax City Council said they would oppose the 4-percent gas tax unless some of the revenue were returned to the city for uses on other purposes. [Rosenfeld, Megan, “Godwin Vetoes Subway Aid,” *The Washington Post*, April 13, 1976; Nunes, Donnel, “Fairfax City Will Oppose New Gas Tax,” *The Washington Post*, April 14, 1976]

On April 14, Governor Godwin accepted Commissioner Fugate’s resignation. Fugate had joined the Virginia highway agency in 1927 as a surveyor after graduating from Virginia Military Institute. The agency had been his only employer. He had been appointed Commissioner by Governor Albert S. Harrison in 1964. Eisen said of Fugate:

Fugate achieved a reputation as a sternly honest administrator with a sense of mission toward road projects. Despite a 1973 law that permits the shift of road funds to transit projects, Fugate told an interviewer last year that he took the “absolute” view that “interstate highway money should be used for interstate construction

A wiry man whose voice retains the twang of his native hill country (he was born in Pulaski County in southwestern Virginia), Fugate is both outgoing and modest, and possessed of a strong sense of humor

He has insisted that he is not opposed to mass transit, but rather to spending road money on transit when so many road needs remain unmet. This position has brought him strong support from rural areas and small towns.

“I make decisions quickly and on the spur of the moment,” Fugate once said of himself. “Sometimes I don’t look at the background enough, but a lot of them turn out all right anyway.”

Governor Godwin selected Deputy Commissioner Harwood to become Commissioner when Fugate retired on July 1; Harwood would fill Fugate's remaining 4-year term, which was to end in 1978. In a telephone interview, Harwood said, "I'm not too far away from the philosophy of Mr. Fugate and the governor" on Metro. He thought Metro would "be a good thing for the city of Washington," but failure to follow through with plans for intensive development around Metro lines in northern Virginia made the line impractical. [Eisen, Jack, "Fugate to Retire As Va. Roads Chief," *The Washington Post*, April 15, 1976; Edwards, Paul G., "Fugate Deputy to Get Va. Roads Job," *The Washington Post*, April 23, 1976]

(In retirement, Fugate worked as a consultant in Richmond. He died of cancer at the age of 82 on December 11, 1988.)

While Virginia was trying to decide what to do about I-66, Congress was working on a 2-year, \$17.5 billion highway reauthorization bill. The Federal-Aid Highway Act of 1976, which President Ford signed on May 5, provided the relief that Virginia highway officials, and officials elsewhere, had been seeking. Section 110 amended the Interstate withdrawal/substitution mechanism to allow funding of highway projects on the Federal-aid primary, secondary, or urban systems in lieu of a nonessential Interstate link.

With Mayor Washington having asked the city council to approve withdrawal of I-266/Three Sisters Bridge and the K Street expressway from the Interstate System on May 1, Harwood said on May 19 that Governor Godwin was prepared to transfer \$30 million from Virginia's portion of I-266 to Metro construction. This amount would be in addition to the estimated savings of \$45 million if Secretary Coleman approved the compromise I-66 plan. According to Jack Eisen, Harwood's statement "was apparently the first time the prospect of a direct interstate fund transfer by Virginia to Metro had been mentioned publicly." He added that Secretary Coleman had said he was willing to "approve enough interstate funds to complete Metro only if Maryland and Virginia both followed the District's lead with similar transfers." [Eisen, Jack, "Va. Bridge Funds May Go to Metro," *The Washington Post*, May 20, 1976]

Virginia officials were preparing a draft EIS for the compromise I-66, which the statement indicated would reduce the loss of parkland, displace fewer residents, and decrease air pollution. It would increase noise levels, but impacts would be reduced because the plan prohibited heavy trucks and, during peak periods, single-occupant vehicles. Only 67 households would be displaced compared with 166 residences in the original plan. The estimated cost was \$160 million, resulting in savings of \$45 million for Metro. [Kiernan, Laura A., "4-Lane I-66 Plan Impact Weighed," *The Washington Post*, June 7, 1976]

Virginia highway officials held a 7-hour public hearing on the proposal at the Marriott Key Bridge Hotel in Arlington on July 10-11, 1976. About 50 witnesses spoke, with the *Post* estimating that "a slim majority" opposed construction. Arlington County Board Chairman Bozman said, "The road would disrupt neighborhoods in a very small, fully developed community, both during and after construction using large amounts of land from a very small community." In addition to damaging homes, schools, parks, and neighborhoods, the scaled-down I-66 "would generate noise that would exceed federal standards and increase concentrations of pollutants in the air, especially carbon monoxide."

Herrity commented on the familiar arguments:

This is a rerun of the hearing last time. You should play a tape recording from the last hearing and save a lot of money that could be put in Metro or I-66.

As reflected in Bozman's comments, opponents opposed any version of I-66, preferring that the funds be used for Metro. Proponents mainly came from Fairfax County and cited shorter commuting time that would reduce energy consumption by taking slower moving cars off the stop-and-go streets of Arlington.

During the second day of hearings, the *Post* estimated, "The number of proponents of the four-lane \$160 million highway who spoke during the second day of hearings . . . held a slight edge over the road's opponents." Opponent Ellen Pickering of Alexandria asked, "If we're going to have more roads, how in Sam Hill are we ever going to maintain air quality standards?" She called the proposal a "road that is without a cause" and urged talk of it to end. "It's just like feeding a baby. The more you feed the baby, the more he keeps spitting up. After a while, the more you keep feeding us I-66, we're going to keep spitting it up."

James Govan of ACT told highway officials, "You have come back with a retread of the same old plan." The *Star* reported that, "Govan, a longtime active opponent of I-66 in any form, was joined by the large majority of speakers at the all-day hearing in criticizing the plan."

Marian K. Agnew of Fairfax told Secretary Coleman, "You have already heard what we're going to say on both sides of the issue. The real issue now is whether I-66 has become an anachronism," referring to problems such as energy conservation and air pollution that were not a concern when I-66 was put on the Interstate map.

Supporter Peter Halpin, also of Alexandria, said, "It's very clear from the nature of the opposition that their arguments against I-66 are no better than before." He said he wanted to apologize for them. "How many of them said they were going to ride mass transit?" He asked, then made a zero sign with his left hand.

Michael M. Burns, representing the Greenbriar Civic Association, supported the proposal. Opponents, he said, "are looking for a perfect solution to all our transportation problems." As for the I-66 proposal, "We view it as a practical solution to a very real problem." [Brown, Doug, "Testimony Begins on Scaled-Down I-66 Plan," *The Washington Post*, July 11, 1978; Seaberry, Jane, "7-Hour Hearing Held on New Rte. 66 Proposal," *The Washington Post*, July 12, 1976; Middleton, Lorenzo, "The War of I-66 Resumes in Hearing," *The Washington Star*, July 11, 1976]

The District of Columbia City Council voted 13 to 0 on July 27 for a resolution introduced by Councilwoman Shackleton opposing the I-66 compromise plan. The resolution restated the city's opposition to more freeways and said "it is precisely this position" that had prompted the city to transfer millions of dollars to Metro construction. The city wanted Virginia to transfer all the I-66 funds to Metro. The vote ensured that the four District votes at a July 30 TPB meeting would oppose I-66; with 12 members on the board, the outcome was uncertain. [Eisen, Jack,

“I-66 Future Opposed, May Hurt Metro Plans,” *The Washington Post*, July 29, 1976]

The Virginia Highway and Transportation Commission unanimously approved the modified I-66 proposal on July 29. [Edwards, Paul G., and Eisen, Jack, “Va. Highway Agency Approves I-66 Plan,” *The Washington Post*, July 30, 1976]

The District’s solid opposition did not prevent the TPB from restoring I-66 to the regional transportation plan. In the fractional voting system in effect, the TPB approved the action by “the razor-thin tally of 6.112 to 5.749 votes,” as Jack Eisen explained to *Post* readers:

Joseph S. Worley, vice chairman of the Arlington County Board, led opposition to the road. It would be, he asserted, “a waste of public funds, a waste of tax money” and would disrupt neighborhoods while increasing air pollution.

D.C. City Councilman Jerry A. Moore Jr., supporting Wholey, called the city’s position one of “voting in favor of Metro and against I-66.”

Fairfax County Supervisor Marie B. Travesky, who made the motion to approve the I-66 restoration, disputed that interpretation. “If the bell tolls here for I-66, it also tolls for Metro in Virginia,” she said.

The COG’s legal counsel, John J. Bosley, warned that not restoring I-66 to the official map “could make the project vulnerable to successful legal attack.”

Eisen continued:

The decision yesterday of Alexandria City Councilman Robert C. Calhoun to cast his 0.329 vote to support I-66 was probably decisive. Before doing so, he won approval for a provision that the transportation planning board would keep some control over the future use and possible expansion of I-66 facility.

Opponents of I-66 vowed to oppose restoration when the issue “comes before the COG board of directors in a different procedural form next Wednesday.” [Eisen, Jack, “I-66 is Restored to Regional Road Plan,” *The Washington Post*, July 31, 1976]

The opponents, however, were unsuccessful before the COG board on August 4. By a weighted vote of 66½ to 54½, the board endorsed the scaled-back I-66 after what Eisen called “a sometimes bitter debate.” This vote was the final local action needed before Secretary Coleman’s decision.

City Councilman Douglas E. Moore, chairman of the District’s Budget Committee, threatened to withhold the city’s Interstate substitution funds from Metro construction in the suburbs. “The money is all the leverage we have,” he said, to avoid an influx of Virginia traffic that would be “an infringement on the rights of our people.” As for how serious a threat this was, Councilman and COG board member Jerry A. Moore, Jr., said “Doug Moore spoke only for himself.”

Eisen pointed out the paradox of the weighted voting:

The vote on the key motion yesterday was conducted under a voting system reflecting the relative populations of 15 local governments that hold COG membership. Actually, 21 persons cast the 121 votes.

If both supporters and opponents had not called for the weighted voting, which is optional, the outcome of the key motion apparently would have been reversed – 11 against the road, 10 favoring it.

Supporters were chiefly Maryland jurisdictions and those in Virginia outside the Capital Beltway, except for Loudoun County, which opposed the plan. Opponents were Arlington County, Falls Church, Alexandria, the District of Columbia, and Gaithersburg.

Montgomery County split its votes, with County Executive James P. Gleason's 10½ votes cast for I-66 and the County Council's 10½ votes opposed.

While voting to support the I-66 plan, COG members were concerned about its impact on air quality and Metro ridership. They called for additional documentation on how I-66 would affect the region's compliance with EPA's air quality standards.

The District's planning director, Ben Gilbert, "insisted that I-66 and Metro would be competitive, and that building the road would doom the success of the rail line." Herrity disagreed. "I'm not telling you the Metro line will be built, but . . . I can assure you that under existing circumstances it will not be built" if I-66 is not built. He added that Governor Godwin supported the Metro line only if I-66 is built.

Eisen summarized the issue by saying the "two hours of debate clouded rather than illuminated the effect that building I-66 might have on completing the Metrorail route that is proposed to occupy the highway median from Glebe Road in Arlington to Vienna." [Eisen, Jack, "Small-Scale I-66 Wins COG Backing," *The Washington Post*, August 5, 1976]

Secretary Coleman announced on August 30 that he would hold a public hearing on the scaled-down I-66 in the Departmental Auditorium on October 2, 1976. The press release included his explanation for the hearing:

In light of the considerable interest and controversy which has surrounded the issue of construction of I-66 and the fact that I personally conducted a public hearing on the matter when it was previously presented to me and issued a decision on it, I shall now conduct a public hearing on the new proposal.

This hearing was organized to hear from public officials in the morning and civic groups in the afternoon.

Overall, he listened to about 80 presentations from officials and civic representatives who were "evenly divided for and against the highway," by the *Post*'s count. Governor Godwin was one of the witnesses. He said, "I have had more information available to me and more advice and more opinions expressed to me about this problem than perhaps any other in either of my

administrations.” (He was the rare Virginia Governor, in a State that prohibited its governors from succeeding themselves, to serve two non-consecutive terms (1966-1970 and 1974-1978).):

Gov. Mills E. Godwin . . . testified that construction of the metro line down the median strip of I-66 would save Metro about \$45 million in construction costs, since grading, preparation and overpasses needed for the roadway could also be used by the rail line. In addition, Godwin said that building I-66 would “open the way” for the transfer of over \$30 million in interstate highway funds [from I-266] to the financially troubled rail system.

However, in an interview, Godwin said he would “feel no obligation to transfer” road money to Metro if I-66 is not built. “That money was allocated to a highway,” Godwin said, “and we’ve got other projects in Virginia that need to be built” if Coleman decides against I-66.

Secretary Coleman made clear that he had some concerns about the EIS:

He questioned them about certain statements he found “troubling” in the environmental impact statement accompanying the proposal as well as about Metro.

“It would be easier for me if I knew that if I-66 were built Virginia would commit itself to doing everything it can to build Metro to Vienna,” Coleman told John H. Harrison, a representative of For I-66. “I’d be interested in that. Unless there is a guarantee that Metro is going to be built, you may have the situation that I-66 will be built without Metro in the median strip and then in four or five years it will be overcrowded and there will be pressure for more lanes.”

Coleman also directed a great many of his questions to assertions in the environmental impact statement that I-66 would only divert about 100 riders from Metro to the highway and that the highway would reduce the amount of in-bound traffic crossing the Theodore Roosevelt Bridge rather than increase it. Coleman asked those appearing in opposition to the highways to address themselves to these assertions and to submit comments to him in writing.

In addition, Coleman asked the speakers “what am I to do with the statement that Metro could only carry 20 per cent of the ridership” into the District and that there was another 25 per cent of commuters who were “in need of some kind of road.”

“Who’s going to put information on the record that deals with the information in the environmental impact statement?” Coleman asked Arlington County Board member John W. Purdy who, with the majority of the Arlington Board, opposes I-66. “Has anyone been to the Virginia Highway Department and asked them for the back-up material? I take it that’s something I’m supposed to do.

He also was concerned that guarantees about ridership could be obtained to ensure the road would be used as proposed, as well as what would happen to the right-of-way if I-66 were not built.

When Chairman Herrity testified, Coleman observed that new highways were soon clogged with traffic. Herrity replied, “I don’t believe in the Oedipus highway complex that highways procreate cars and traffic. Other decisions do that.”

District Director Schneider, while testifying on behalf of Mayor Washington, addressed one of Secretary Coleman’s concerns. “I simply do not believe,” he said, that fewer cars would enter the city if I-66 were built. He considered it a “folly” to build Metrorail in the median of I-66 while operating Metrobuses on the highway, “with both systems losing money.”

After hearing from both sides, Secretary Coleman said the testimony helped him understand “the concern of the people that the proposed highway will not be changed once it is built, the extreme feelings of the people in Arlington who don’t want it and the reasons why people want Metro completed.” [Darling, Lynn, “Coleman Explores I-66, Metrorail Relation,” *The Washington Post*, October 3, 1976; Crosby, Thomas, “I-66 Dispute Drones On At Hearing Before Coleman,” *The Washington Star*, October 3, 1976]

While Secretary Coleman decided what to do, the WMATA board learned from a staff report on July 8 that the cost of building Metro had increased by \$227 million to \$5 billion. Eisen explained:

Metro comptroller, William E. Boleyn, said one of the largest items in Metro’s rising cost can be traced to “a lack of timely decisions” by citizens, planners and politicians.

Because stretching out construction inevitably resulted in increased costs, the lack of a decision on I-66 was an example.

The increase meant that local jurisdictions would have to find revenue to make up the difference. The District would have to find an additional \$65.9 million. In Maryland, Montgomery County would need \$32.7 million more while Prince George’s County’s additional share would be \$30.5 million. The additional cost would be shared in northern Virginia by multiple jurisdictions:

Alexandria: \$15.9 million
Arlington: \$42.2 million
Fairfax County: \$40.5 million
Falls Church: \$300,000

[Eisen, Jack, “Metro to Cost Area Jurisdictions \$227 Million More, Staff Says,” *The Washington Post*, July 12, 1976]

Secretary Coleman asked the WMATA board for its views on I-66. The board, which included members from multiple jurisdictions, was internally divided on the freeway, as the jurisdictions were. Eisen summarized the response:

The board refused to say “yes” or “no” to the road, but did spell out the potential cost of its rejection. Its letter, signed by Sterling Tucker, chairman of both the Metro board and

the D.C. City Council, was couched in such neutral terms that it did not even say the increase was harmful or troublesome.

“. . . it would appear,” Tucker’s letter said, “that the current I-66 proposal would result in a reduction in Metro construction cost, excluding real estate, of \$34 million” from the earlier proposed version of the road with unrestricted traffic

A “no I-66” situation would result in considerable redesign effort with a resulting delay of 18 months during which time we would be subjected to additional escalation cost.”

He did not specify an amount, but a table attached to the letter indicated that a 1-year delay would cost \$14 million. Thus, an 18-month delay would appear to cost at least \$20 million.

Actually, as Eisen explained, the actual difference between building or not building I-66 added up to \$70 million:

The \$70 million actually is composed of two separate elements. Metro has said it would cost at least an extra \$34 million to build the rail line if I-66 is not built. And unless the highway is approved, Virginia Gov. Mills E. Godwin has said he will refuse to release more than \$30 million of interstate highway funds to Metro.

This \$70 million gap between costs and resources is one factor that U.S. Secretary of Transportation William T. Coleman Jr. must weigh in deciding whether to approve the state’s latest proposal for the road

Given the choice between building I-66 to the District line or losing \$70 million for a Metro line in the corridor, District officials were willing to lose the money rather than have I-66 traffic flowing across the Potomac River onto already congested city streets:

District officials testified against the road and Godwin testified for it at a recent hearing conducted by Coleman Douglas N. Schneider Jr., director of the District’s transportation department, told interviewers over the weekend that the Virginia funding problem is political and has nothing to do with transportation matters.

If Virginians were as serious as District officials about completing the 100-mile Metro system, he declared, the problem would evaporate. He described himself as unconcerned over the funding problem, a position similar to that taken by other District officials. [Eisen, Jack, “I-66 vs. \$70 Million for Metro,” *The Washington Post*, October 28, 1976]

Rebirth of I-66

On November 2, 1976, former Governor Jimmy Carter of Georgia defeated President Ford in the presidential election. The President-elect chose Representative Brock Adams to succeed Secretary Coleman as Secretary of Transportation.

In Washington area races, 43-year old Representative Paul S. Sarbanes, who in 1970 had defeated the powerful chairman of the Committee on Public Works, Representative Fallon,

defeated Senator Beall in a landslide with 57 percent of the vote. In Virginia, Senator Byrd won his race. The three Representatives elected in 1968 won reelection – Representative Spellman of Maryland and Representatives Fisher and Harris of Virginia. Representative Gude retired after 10 years in the House, succeeded by Republican Newton I. Steers, Jr., a 59-year old State Senator.

In the District of Columbia, Delegate Fauntroy won reelection to his nonvoting position in the House with 78 percent of the vote. Most city council members running for reelection were successful. Winners were Marion Barry (at-large), The Reverend Jerry Moore, John Wilson, Arrington Dixon, and Willie Hardy. Councilman James E. Coates was the exception; he lost to Wilhelmina J. Rolark.

One of the many repercussions of Governor Carter's election was that Secretary Coleman was a lame duck. His predecessors, in their lame-duck weeks, had tried, with mixed results, to resolve remaining controversies in their final weeks. Now it was his turn.

In an interview with the *Post* on December 29, Secretary Coleman said he expected to decide on I-66 before leaving office "in such a way that the full Metro is going to be built":

I think that if the Washington community and the [national] administration doesn't support Metro, in 15 years we all will regret it.

He knew that Secretary-designate Brock Adams had been a consistent Metro supporter in the House of Representatives.

In view of Governor Godwin's oft-stated concerns, Secretary Coleman added that, "The only way Metro is going to be built is to get the Commonwealth of Virginia back of it."

As for I-66, he said, "it's a really tough call . . . everybody outside the Beltway wants it very much, but inside it [the opinion] is mixed." He cited one problem with restricting the road to carpools was that it might take passengers away from Metro, while sorting out traffic to and from Dulles International Airport would be difficult.

Eisen wrote:

Reminded that he has sharply criticized aspects of Metro, Coleman maintained that the managers of the program failed to keep costs under control.

Despite the increase of cost projections from the original \$2 billion to \$4.7 billion and a potential \$5.5 billion, Coleman said, "nobody gets upset . . . nobody does a damn thing [about it]. We ought to finally recognize there is a limited amount of public money, and we have got to insist that public servants spend it more wisely." [Eisen, Jack, "Coleman Links Route 66 to Full Metro," *The Washington Post*, December 29, 1976]

On January 5, 1977, Secretary Coleman announced:

I have decided to approve the multi-modal transportation concept including the four-lane Interstate Highway 66, as proposed to me by the Virginia Department of Highways and Transportation. This interstate segment will provide direct east-west access between the Nation's Capital and Interstate 81 and will thus benefit the entire northern portion of Virginia. In addition, the highway as proposed – with peak hour restrictions to buses, carpools and traffic to and from Dulles in the peak direction – will benefit the immediate metropolitan area by providing an efficient commuter facility to supplement the capacity of the existing network of commuter roads. The proposal will also provide the right-of-way, significant cost savings, and other financial support for construction of the “K” line [to Vienna] of the Metro rail transit system in the median of the highway for part of its length.

He was aware of the divided views on the proposal, a reality that made it a difficult decision:

On balance, however, I have concluded that the multi-modal solution proposed by VDHT will best meet the transportation needs of northern Virginia while fulfilling the environmental, social and economic objectives of the local communities and the Federal Government.

He had a concern related to the Metro line:

I realize that it is impossible to obtain, at this time, a legal commitment by the Governor of Virginia or the Washington Metropolitan Area Transit Authority (WMATA) to complete the Metro “K” line. Nevertheless, in view of this decision to approve I-66, I will expect the Governor, the agencies of the Commonwealth, and the Virginia legislature to honor the moral obligation to advance the completion of Metro. Such a moral obligation is, in my judgment, eminently fair

To this end, I ask that the Governor commit both the manpower and financial assistance necessary to the planning and construction of the Metro “K” line. Such assistance must include the financial commitments contained in the I-66 submission and the transfer of

I-266 funds to Metro, in accordance with the stated intention of the Governor [during the October 2 public hearing], but should not be limited to these actions. I expect that the full range of financial resources available to the Commonwealth, including taxation powers, bonding, or any other suitable revenue mechanisms, will be considered to fulfill this commitment. [*Secretary's Decision on Interstate Highway 66, Fairfax and Arlington Counties, Virginia*, U.S. Department of Transportation, January 5, 1977, pages 7-8]

Secretary Coleman, to be absolutely clear, specified the conditions of his approval:

Specifically, I approve the request for Federal aid for I-66 subject to agreement by the Commonwealth of Virginia that it will:

- Provide right-of-way in the median for Metro without cost, and “assist the Metro system through complete construction of the median to the point that rails could be placed by the Washington Metropolitan Area Transit Authority with minimal construction expense”,

and provide other assistance to Metro construction, all as set forth in the Final Four Lane Supplemental EIS;

- In accordance with Governor Godwin’s announced intention, transfer the funds previously allocated to I-266 in Virginia to Metro, under the “interstate transfer” provisions of Federal statute;
- Restrict the use of the highway lanes in the peak direction, during the peak hours, to buses, carpools of four or more persons, emergency vehicles, and vehicles bound to or from Dulles International Airport. These restrictions can be removed by VDHT or the Commonwealth of Virginia, only with the concurrence of the U.S. Secretary of Transportation, the authorized transportation planning body for the metropolitan Washington area, and WMATA. In addition, the restrictions can be removed by the U.S. Secretary of Transportation after consultation with these same parties. In either case, all environmental requirements would have to be met before the restrictions could be removed;
- Exclude heavy duty trucks (two-axles, six-tired or larger) from the facility at all times;
- Submit a plan within the next 60 days for DOT review and acceptance, detailing the enforcement approaches and resources which will be committed to assure compliance with the traffic limitations set forth above, including a plan for identifying automobiles bound to and from Dulles;
- Not construct any highway lanes in the I-66 right-of-way beyond the four which I am now approving;
- Include the design elements and other features intended to minimize and compensate for adverse social and environmental impacts of the highway as set forth in the Final Four Lane Supplemental EIS, and this document, including specifically those set forth in Section V of this document (in other words, so far as possible, construction should be similar to the George Washington Parkway); and
- Provide assurances that all construction will be carried out in a way that provides apprenticeship opportunities, skilled training and jobs for substantial numbers of minorities, and significant opportunities for the participation of minority-owned enterprises. [pages 8-9]

In a section on design, Secretary Coleman described the approved I-66 as “a four-lane divided, limited access highway with provision over part of its distance for Metro rail in the median.” It would have two 12-foot wide lanes in each direction, plus acceleration/deceleration lanes at interchanges. The highway would be depressed below grade extensively to minimize right-of-way and community impacts. The design speed would be 60 miles per hour, with a posted speed of 55 miles per hour, reduced to 50 miles per hour between Glebe Road and the approach to the Theodore Roosevelt Bridge. In addition:

Overpass and underpass structures would be designed for the four highway lanes and Metro (where the latter is in the median). Where the highway passes under structures, there would be 8-foot shoulders on the inside lanes and 30-foot “clear zones” beyond the outside lanes.

Other design features included continuation of bicycle and pedestrian trails from the Rosslyn/Spout Run area along I-66 to North Roosevelt Street near the planned East Falls Church Metro Station:

Also of particular importance is the commitment of VDHT to heavy landscaping, multiple use of space, and noise abatement structures to assure compatibility with the surrounding neighborhood. Approximately 60,000 linear feet of noise abatement walls would be constructed along the highway, approximately 60 percent of the two sides of the total alignment of I-66 inside the Beltway. [pages 24-25, 58]

In a conclusion, Secretary Coleman stated:

The proposal, as approved, with conditions, will result in improved mobility; an incentive and a great opportunity for increased carpooling, particularly over the longer run, as a basic tool of urban transportation policy in this metropolitan area; substantial support for the construction of an improved mass transportation system in this corridor, another basic element of a sound urban transportation policy; and improved access to Dulles Airport. These benefits will be achieved at some costs, but the “costs” have been reduced considerably and compensating features will be provided by major design improvements which the proposal includes and which are conditions of my approval.

The decision has also been particularly troubling because I know how deeply felt is the opposition to this project, how informed and reasoned much of the opposition has been, and how much sincere effort has gone into it. Many will be tempted to believe that their views were not considered. I want to emphasize that the views of the opponents, as well as the proponents, were carefully considered, and I hope that consideration is reflected, at least in part, in this document. But after considering the views of both sides, I can only choose one, and I have made that choice as objectively as I can, based on the record and information before me. [pages 70-71]

In his autobiography, Secretary Coleman recalled the decision:

Less than a year [after his initial rejection], Virginia proposed a new, redesigned highway. My staff worked closely with the commonwealth, the Federal Highway Administration, and the Metropolitan Planning Organization . . . to come up with a design that was compatible with regional transportation planning, a proposal that I approved. [Coleman, page 260]

ACT members, who had played a key role in securing the court order that blocked I-66 construction in 1972, felt “deeply disappointed” by the Coleman decision, according to James Govan. “Six years of effort have finally been proven a waste of time.” Secretary Coleman, Govan said, “has approved a project that simply doesn’t stand on its merits. The argument for it hasn’t been made.” The decision “forces a highway down the throats of Arlingtonians in the name of Metro for a pittance of \$30 million.”

He added that ACT would decide in the next day or two whether to file another suit:

It's certainly subject to legal challenge, but it would mean raising funds. Hopefully we don't have to do that. I hope that when Brock Adams gets into office, he will be willing to review the decision and deal with the project.

Attorney Latto said, "On the face of it, Coleman's opinion looks very thoughtful," but it had a "legal Achilles Heel." In Latto's view, Virginia had overestimated the number of carpools that would use I-66 during peak hours (3,525 carpools in one year), while ACT believed the number would be closer to 1,300. Coleman had noted in the decision that some of the State's estimates appeared valid, but others "may be optimistic." In other words, Latto said, Coleman was basing his decision on a "guess. It may not be simple to persuade a court of that, but it's possible." He was reviewing the decision before advising ACT on whether to return to court.

As usually is the case with nominated Cabinet members, Representative Brock Adams did not want to express a view on I-66. A spokesman told reporters that counsel for Representative Adams would study Secretary Coleman's recent decisions "to see which ones are reviewable or not." It was too early to say whether Adams would be taking another look at I-66.

Chairman Tucker of the District City Council stressed that in the wake of the decision, "the District remains firm in its conviction that even in its modified version, I-66 is unnecessary." Like Govan, he was optimistic that Secretary Adams, after he takes the oath of office, would review the decision. "My guess is that with opposition so strong here and in parts of Northern Virginia, the I-66 issue will be subject to review by the new administration."

Representative Fisher was "disappointed" because "building more highways is a dead end, not a solution to transportation problems." The conditions Secretary Coleman placed on the new highway were not "stringent enough" and were "nothing more than what proponents of the highway had already agreed to."

Governor Godwin said he was "of course, pleased" with the Coleman decision. VDHT Commissioner Harwood was hopeful that construction could begin in about 10 weeks. The State, he said, was thinking of going back to the U.S. District Court in Alexandria to argue that VDHT had met the conditions of the 1972 decision:

I would hope that after all the work that has gone into this thing, court suits, the gathering of voluminous information, the very difficult decision by Coleman, the assistance to Metro, the minimizing of environmental impacts, I just hope everything will wind down and people will let us get on with it.

Chairman Herrity, who had suggested the model for revived I-66, called the Coleman decision "a great victory for a lot of people in Fairfax County." He was convinced that without the reversal he had engineered in the position of the Fairfax County Board of Supervisors, "this would have never happened."

The *Post's* report on the decision concluded with this anecdote reflecting Secretary Coleman's challenge in making the decision:

DOT officials originally announced that Coleman would release his decision on I-66 in December, but at the last minute, a press conference was canceled. Coleman said later that he had two decisions ready to go on Dec. 19, one in favor of the highway, one opposed. A half hour before the printers were to arrive with the decision, Coleman said he decided to postpone announcing it. "I just wasn't happy with the one I had."

[Crosby, Thomas, "I-66 Ruling Has Foes in Quandary," *The Washington Star*, January 7, 1977; Darling, Lynn, "4-Lane I-66 is Approved in Arlington," *The Washington Post*, January 6, 1977; Edwards, Paul, "Godwin Says He's 'Pleased' By I-66 Ruling," *The Washington Post*, January 6, 1977]

The *Post* editorial on the decision began:

With almost as many reservations as Washington's hotels have on Inauguration Day, Secretary of Transportation William T. Coleman Jr. has approved construction of I-66

The deal reflected in Secretary Coleman's decision came about because Governor Godwin "had all the cards" and "had him over a barrel." Secretary Coleman faced a dilemma: "Either approve I-66 – or watch the Metro rail system suffer," he said in essence:

Thus it is a case of a governor forcing a federal decision, which is then written with "conditions" that attempt to cushion the damaging effects, including a stipulation that the governor must agree to do what he threatened not to do unless he got his way: help Metro with the median and transfer those other highway funds.

The editors were skeptical about the merits of the scaled-back I-66. Secretary Coleman, they pointed out, had stated that "the transportation benefits which I-66 would provide in conjunction with Metro, combined with the extensive efforts to be undertaken to minimize the adverse impacts, outweigh the net adverse social and environmental effects of the proposal":

So, after more than 20 years on the drawing boards, the I-66 corridor may not be on its concrete way to becoming what surely ought to be named the Mills Godwin Highway. ["The I-66 Deal," *The Washington Post*, January 7, 1977]

Star editors also noted the key role of Governor Godwin's obstinacy, but were hesitant to predict what would happen next because "the project has had so many ups and downs that it's hard to say whether construction will now go forward." Still, a decision had been made:

We hope that citizens who have fought the highway project will not continue their resistance We also hope that incoming Transportation Secretary Brock Adams will not upset Mr. Coleman's decision. Mr. Coleman has studied the matter for many months and has concluded, correctly in our opinion, that construction of the highway is needed in a balanced transportation system. ["Green Light for Route 66," *The Washington Star*, January 10, 1977]

In Secretary Coleman's autobiography, he looked back on his decision:

In recent years there have been proposals to widen certain parts of I-66 to facilitate the ever-increasing congestion of commuter traffic. Members of Congress have asked me whether my initial decision would preclude any changes to the highway design, and I have told them of course not. Congress or the secretary of transportation can always adjust the decisions of their predecessors to accommodate changing circumstances. Nevertheless, I believe the approach I took to the I-66 decision remains valid today. We cannot simply build highways willy-nilly. We need coordinated regional transportation plans that preserve the quality of urban life, conserve energy, and reduce air pollution, including that from the new threat of greenhouse gas emissions. [Coleman, page 261]

Confirming I-66

Brockman “Brock” Adams had graduated from the University of Washington at Seattle and Harvard Law School. After several years in private practice, he served under President Kennedy as U.S. Attorney for the Western District of Washington (1961-1964). In 1964, he was elected to the House of Representatives, part of the Democratic wave that swelled the 88th Congress with supporters of the Johnson agenda. In 1975, he became chairman of the Committee on the Budget. He resigned from the House on January 22, 1977. He lived with his family in a home at 3002 Albemarle Street, NW., in the District’s Forest Hills neighborhood not far from Connecticut Avenue.

On January 7, 1977, the Senate Committee on Commerce held a confirmation hearing for Secretary-designate Adams. Senator Wendell H. Ford (D-Ky.) asked whether Adams would reconsider Secretary Coleman’s approval of I-66. Adams replied that he would review agreements and promises on transportation made by the Ford Administration. He would not make firm recommendations before taking office, but said he would “review all we’re entitled to review.” He added, “That particular one is a question of whether the time runs out on the 30-day period before we are entitled to review it.” [Nominations – Secretaries – Departments of Transportation and Commerce, Hearings before the Committee on Commerce, United States Senate, 95th Congress, 1st Session, Serial No. 95-1, pages 41-42; the hearing for Secretary of Commerce-designate Juanita Kreps took place on January 10.]

The committee submitted questions to Secretary-designate Adams for replies in writing. One of them about I-66 was mainly a question about similar controversies around the country: What priority should be given to developing Interstate highways systems in urban areas and should State and local governments be given a greater voice in the design and development of urban transportation systems? The segments, Adams replied, involved tough decisions, but the Interstate withdrawal-substitution process helped with the decisionmaking process because it “allows state and local officials to make a new decision on plans for interstate highways which perhaps date back to the mid-1950’s.” They can develop transportation networks that are “better tailored to present day needs.” As for I-66, he said:

In the case of I-66, present status of the matter in the District of Columbia is that the highway will not be built as originally designated in the District. The State of Virginia is now reviewing its options for development of the I-66 segment lying within its jurisdiction. The plan now under review at the Council on Environmental Quality calls

for a highway of substantially reduced size and for active measures to match highway demand and capacity. I agree with these steps in concept. If a final decision on I-66 is mine to make, I will review the proposal closely and assure myself that all environmental and community impact factors have been taken into the fullest account in whatever plan the State of Virginia puts forward, and that the transportation considerations provide for a reasonable balancing of highway and mass transit capacity in the corridors affected.
[page 16]

Secretary-designate Adams was not, at this time, fully committed to the rapid rail transit system in the Washington area or elsewhere. He supported a 100-mile network, as he had in the House of Representatives, “but not necessarily 100 miles of rail.” He felt that bus service might be an acceptable, less costly substitute for some parts of the rail network. He said that with a price tag now pegged at \$5.5 billion, only about 64 miles were currently funded – and less expensive options might be worth considering for the additional miles.

Secretary Coleman, asked by reporters if he thought Secretary-designate Adams would promote the full, 100-mile Metro system, replied, “I feel intelligent people, when they review all the facts, tend to reach the same conclusion. Brock’s an intelligent person.” He added that when New York, Philadelphia, and Chicago each built its system, many people thought they were making a mistake. Those cities, however, “would be in bad shape” without their subways. Referring to Metro, he said, “Anyone who views history 15 or 20 years from now will say we made a mistake” if the full network is not completed. [Crosby, Thomas, and Aug, Stephen M., “Adams Hedges On Metro; Plans To Review I-66,” *The Washington Star*, January 8, 1977]

In a letter to the editor, ACT’s James Govan said that the *Post* editorial “hit the issue squarely,” particularly in citing the role of Governor Godwin. “Clearly, Mr. Coleman had a hard time making up his mind, and that suggests Gov. Godwin’s intransigent position was even more decisive in tipping the scales.” Unfortunately, the decision had not “settled the basic issues”:

Rather, his decision left open the critical issues of I-66 competition with Metro and the adequacy of the carpool usage projections upon which the entire analysis of I-66 are based. In view of such issues, he could have just as easily decided that Metro can be completed in the corridor alone, and the need for a highway assessed after Metro’s impact can be seen. Such a decision might, in the long run, save us far more in public funds than the \$45 million Virginia promises to save Metro in construction costs.

The only “silver lining in the cloud of I-66” was the possibility that Secretary-designate Adams might reverse the decision. Govan knew that many Washington insiders would advise Secretary-designate Adams to avoid extending the issue. “What a comment on the new administration if it appears that significant issues such as this one are to be avoided rather than faced.” True, the new Secretary would be unpopular with pro-I-66 interests if he reversed the Coleman decision, but “that is not the important consideration”:

What is important is that Mr. Adams will make a nationwide impact by reconsidering I-66 and approving a solid mass-transit alternative. He will make abundantly clear the Carter administration’s commitment to urban mass transit

There is more at stake in the national impact of this decision than is at stake in upsetting Gov. Godwin who cares little for the area's transit problems and who has less than a year to serve as governor. ["I-66: Peace and Quiet Now, or More War?" Letters, *The Washington Post*, January 17, 1977]

(Governor Godwin, once again term limited, would leave office on January 14, 1978.)

On January 13, Governor Godwin wrote to Secretary Coleman to reaffirm his acceptance of the eight conditions the Coleman decision had imposed on approval of the scaled-down I-66 design proposal. Governor Godwin confirmed that Virginia would:

- Provide the right-of-way to Metro, without cost, for construction of the Vienna line;
- Use the Interstate withdrawal-substitution mechanism to withdraw I-266 and substitute general Treasury funds for Metro;
- Restrict the highway during peak periods as stated in the Coleman decision;
- Exclude heavy-duty trucks;
- Submit a plan within 60 days of January 5, 1977, for the Department of Transportation's review and acceptance on enforcement approaches to ensure compliance with the restrictions, including a plan for identifying Dulles International Airport traffic;
- Not construct highway lanes in the I-66 right-of-way beyond the four Secretary Coleman approved;
- Incorporate design elements to minimize and compensate for adverse social and environment impacts, including construction, insofar as possible, to be similar to that of the George Washington Memorial Parkway; and
- Ensure that all construction will be carried out in ways that provide apprenticeship opportunities, skilled training and jobs for the participation of minority-owned enterprises.

Within 2 weeks of Secretary Adams' anticipated compliance, State and Federal officials planned to go to court to ask relief from the earlier injunction against I-66. Construction could begin as early as April, according to Harwood.

Vice Chairman Pennino of Fairfax County also was ready for I-66 to be built. She warned Arlington County residents and officials that if they tried to block I-66 again, she would go to court. "I would like the citizens of Arlington to know Martha Pennino has talked to some very able lawyers." Several citizens had volunteered to participate in the suit as the damaged parties. Arlingtonians, she said, "who have held this project up for a decade," should know the time had come "to get on with it." ["Gov. Godwin Agrees to I-66 Conditions," *The Washington Post*, January 19, 1977; "Any Delay in Extension of I-66 Will Draw Lawsuit," Says Pennino," *The Washington Star*, January 19, 1977]

The Senate confirmed Secretary Adams on January 20 on the same day that President Carter took office. On January 23, President Carter took part in the ceremony in the East Room of the White House as 12 members of his Cabinet, including Secretary Adams, took their oaths of office. Chief Justice Burger administered the oaths. Introducing each Cabinet member, President Carter referred to Secretary Adams as "the best congressman I've ever known."

Opponents of I-66 saw the change in Secretary as another opportunity to block the freeway. By a 3 to 1 vote, the Arlington County Board approved a resolution urging Secretary Adams to review and reverse Secretary Coleman's decision. The member who voted against the resolution, Walter L. Frankland, said, "The claims that only the Metrorail system . . . can solve the area's transportation needs is no longer a valid premise on which to attempt to block all further highway development." Board Chairman Joseph S. Wholey indicated he would try to arrange a meeting with Secretary Adams, Mayor Washington, and Representative Fisher.

About 60 opponents of I-66 watched the board's discussion. One of them, Raymond L. McGovern of ACT said, "I place most of my hope in Adams' known support for mass transit." [Hamilton, Martha, "Arlington County Board Urges I-66 Review," *The Washington Post*, January 27, 1977]

According to White's history of the I-66 struggle, ACT did everything it could to secure a reversal of the Coleman decision:

After the change in administration in January 1977, ACT picketed the White House twice and pressed President Jimmy Carter's new Secretary of Transportation, Brock Adams, to review and reverse Coleman's decision. [White, page 64]

However, on February 2, Secretary Adams "gave final approval" to the Coleman decision. He had, according to the announcement, "instructed federal attorneys to file a petition with the United State District Court for Northern Virginia seeking the dissolution of a federal injunction that poses the final block to construction of the highway."

He said a key factor in his decision was the desire to complete the regional Metro system and for the need to make final decisions on longstanding transportation issues. I-66 had been unresolved for 15 years:

It was clear to me from a review of the facts and the arrangements arrived at between my predecessor and Governor Godwin only last month that failure to give the go-ahead would result in grave damage to the future of the Metro system.

If we are to make any progress at all in solving the transportation problems of this area we have got to stop this endless wrangling over the Gordian knot that Metro/I-66 has become. The whole issue was too important to the overall transportation needs of the region. It had to be solved.

Referring to Governor Godwin's January 13 letter to Secretary Coleman, Secretary Adams said, "the Governor has reaffirmed to me his acceptance of the eight conditions originally imposed, and he has indicated to me his full support and continuing cooperation in completing the Metro rail system in Virginia."

In talking with reporters, Secretary Adams said the decision was a "very difficult" one, adding that if he had been responsible for the decision "from the beginning, I might have decided it differently." At this point, he thought "it's been a very long process, it's gone on too long, and I think that's what's wrong in government decision-making."

He knew of the groups on both sides of the issue, but had not consulted with groups on either side. Doing so, he thought, “would taint the decision,” and result in another round of public hearings. As it was, he said he would not be surprised if the Coleman decision ended up in court.

Secretary Adams said, “My commitment is to the Metro system. If [I-66] produces a Virginia commitment to Metro, then we should demonstrate our willingness to meet them halfway.” Funding was available for 64 miles of Metro, but the funding for the remaining 36 miles was uncertain. At UMTA’s request, a study was underway to determine if some of Metro’s suburban lines could be changed to another less costly form of transportation, such as express bus lanes. If the study supported the 34 miles and local governments came up with an additional \$200 million, Secretary Adams committed to providing the Federal share:

I can’t tell you the amount of money because I have to get that from . . . the Metro people . . . [but] our recommendations are going to be towards getting the system completed. I am an advocate in this process with the Office of Management and Budget, the President, and Congress

With Metro in mind, Secretary Adams had telephoned Governor Godwin, who had “indicated to me his full support and continuing cooperation in completing the Metrorail system in Virginia” and that I-66 would never be wider than four lanes.

Reaction to the decision was predictable. James Govan had not expected such a quick decision:

Mr. Adams has approved a bad project that will cost the taxpayers more than just the Metro system would. It’s very unfair to the citizens. They voted for Metro, they voted to pay for it, but they didn’t vote for this highway.

Chairman Herry praised Secretary Adams. “It’s an absolutely fantastic victory for the people of Fairfax and Northern Virginia.

Governor Godwin refused to confirm his full support for Metro, as claimed by Secretary Adams. The governor’s press secretary summarized the call with the secretary:

John H. Wessells, the governor’s press secretary, conferred with Godwin and then said the governor’s position on Metro is set forth in a letter to Adams’ predecessor, William T. Coleman.

That letter, dated Jan. 13, emphasizes Godwin’s inability to make any future commitment for the state and promised no support for Metro beyond a recent agreement to use about \$75 million in aid in order to win U.S. approval of construction of Interstate Rte. 66 from the Capital Beltway through Arlington to Washington.

An aide to Secretary Adams recalled the telephone call differently:

[David] Jewell said Adams understands Godwin to promise that he “would do everything in his power to complete the entire Metro system in Northern Virginia. Wessells said

Godwin would not comment on his conversation with Adams except to say that he is “grateful that he approves of the I-66 project and hopes construction can soon begin.”

[Darling, Lynn, “I-66 Extension Reaffirmed by Brock Adams,” *The Washington Post*, February 2, 1977; Crosby, Thomas, “DOT Secretary Adams Reaffirms Decision on I-66,” *The Washington Star*, February 2, 1977; Edwards, Paul G., “Godwin’s Stance on Metro Unchanged,” *The Washington Post*, February 3, 1977]

The *Star* accepted Secretary Adams at his word that the future of Metro was his primary motivation in reaffirming the Coleman decision:

Mr. Adams’s decision may not mean the end of the controversy, however. Opponents of the highway are threatening to go to court again to block the project.

The opponents have had their day in court, in fact several days. The project has been delayed while costs skyrocketed. If the opponents proceed with further litigation, the courts ought to require them to post bond to cover increased costs if the highway finally gets built. [“I-66 and Metro,” *The Washington Star*, February 7, 1977]

The District of Columbia was among those considering going to court to block what they expected would be a flood of cars into a city that could not accommodate them. Chairman Jerry Moore of the city council’s transportation committee wrote to Mayor Washington urging him to seek court action. The city, Moore wrote, “does not have the present capacity to accommodate any new influx of private automobiles.” Parking was simply not available for all those I-66 cars.

Chairman Moore, with support from Council Chairman Tucker, suggested the city consider a municipal parking authority. As discussed earlier, Congress had considered, but rejected, proposals a decade earlier to create a municipal parking authority that would expand parking spaces. The idea had long been controversial. The public authority would compete with private interests that presently provided parking, but in the city’s view, more cars meant more congestion and pollution.

In fact, the city had been looking for a way to reduce the number of cars, in part by reducing parking spaces and urging Federal agencies to eliminate free or subsidized employee parking. Director Schneider said, “I’m afraid it might add to the problem by making more parking available. I think we’re better off concentrating on Metro, and on making parking unnecessary.” [Shandler, Phillip, “D.C. Fears I-66 Traffic Jam, Looks to Parking Authority,” *The Evening Star*, February 7, 1977]

Judge Lewis dissolved the 1972 injunction on February 14. During the 1-hour hearing, he said, “We are not here to retry I66. It seems to me if they have done A, B, C, D they can proceed to build it.” Shortly after Judge Lewis signed the order dissolving the injunction, Virginia highway officials asked FHWA for approval to advertise for construction bids. [Seaberry, Jane, “Judge Removes Obstacle Barring Building of I-66,” *The Washington Post*, February 15, 1977]

ACT, which had been a party to the lawsuit from the start, did not contest Judge Lewis's action. However, ACT attorney Latto informed reporters that he was preparing a new lawsuit targeting the U.S. Department of Transportation.

On March 11, ACT and other groups filed suit to block construction of I-66 in U.S. District Court before Judge Sirica, known for his work on freeway lawsuits in the District of Columbia but by then one of the most famous judges in the country because of his work on Watergate-related cases. In an echo of the earlier claim that Secretary Volpe's approval of the Three Sisters Bridge had resulted from Chairman Natcher's pressure on Metro funding, the suit claimed the Coleman decision was partly a "political deal" in return for Governor Godwin's support of Metro construction. They also claimed the decision violated NEPA, Section 4(f), and the National Historic Preservation Act.

James Govan told reporters, "we've come a long way since 1971," when officials were planning an eight-lane superhighway through Arlington. However, "the road they are pushing now will still be an environmental disaster for the District of Columbia, a blight on the neighborhoods through which it will run and a foot in the door for future highway expansion." [United Press International, "Area Groups Sue to Block I-66 Aid," *The Washington Post*, March 12, 1977]

Judge Sirica ruled on April 14 that the case was virtually the same as the one heard by Judge Lewis and directed that the case be sent to the District Court in Virginia. "Because of his greater familiarity with the background of this particular program, he likely could render a quicker and more certain decision than could be obtained here," Judge Sirica said. He added that another reason for the transfer was that I-66 would have a "far greater effect" on northern Virginia residents than those in the city. ["I-66 Suit Transferred to Alexandria," *The Washington Post*, April 15, 1977]

ACT and its co-litigants asked the U.S. Court of Appeals to order Judge Sirica, not Judge Lewis, to hear arguments in the case.

While the case worked its way through the courts, VDHT awarded a contract to James Julian, Inc., of Wilmington, Delaware, on June 21 for the first construction contract – for a 1.4-mile segment from the Capital Beltway to State Route 7/Leesburg Pike in East Falls Church. The company had submitted a bid of \$9.6 million. [Edwards, Paul G., "Low Bid on I-66 is \$9.6 million," *The Washington Post*, June 22, 1977]

Judge Sirica's ruling stood and the ACT lawsuit ended up before Judge Lewis. On July 15, he ruled that VDHT's contractor could move equipment into place but could not begin construction until he issued a ruling. During the hearing, Judge Lewis said, "you're not going to delay this road forever. There comes a time when the good citizens of Northern Virginia and the good citizens of the District – I'll put them all together – have a right to know the finality of [I-66]."

He heard arguments in the case on July 26. A *Post* article about Judge Lewis, 75, indicated he "Enjoys the Grouchy Side of Justice," summarized some of the dialogue:

At a recent hearing in a suit seeking to block the controversial Interstate Rte. 66 construction, attorneys for a District civic association wanted the Virginia Highway Department to answer a number of questions, a process estimated to take about two weeks, the lawyers said.

But Lewis asked for the questions, and asked them himself in open court.

The lawyers also said they wanted to spend several days reviewing state and federal documents concerning their case. Lewis told them to go to Richmond early Saturday morning and spend the weekend researching. "Enjoy Richmond. It's a beautiful city," he said.

The lawyers then said there were certain state highway officials they would need to interview. Lewis told them to talk to anybody they wanted. "I don't even object to [interviewing] the governor, if knows anything." Lewis laughed. ["Judge to Decide On Building I-66 Inside Beltway," *The Washington Post*, July 27, 1977; Seaberry, Jane, "They Get a Trial With a Personality" *The Washington Post*, August 8, 1977]

On Friday, August 5, Judge Lewis denied an injunction blocking construction of I-66. He found that, "The secretary's 71-page decision is quite exhaustive The court finds that the Secretary made a good faith judgment after considering all relevant factors The plaintiffs' charge of unlawful political pressure is too nebulous to warrant discussion." Secretary Coleman, in short, had "acted within the scope of his authority" to make a decision that "was neither arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law."

Latto said the ruling was "hardly a surprise. Judge Lewis fairly well indicated at the trial two weeks ago what he expected to decide. I am certain he'll be reversed on appeal again." He explained:

I have a déjà vu feeling about this. When we brought our earlier case [in 1971] Judge Lewis denied our suit. We sought an injunction pending our appeal, and he denied it. Then the court of appeals granted our injunction. We seem to be following the same procedure

ACT's James Govan agreed the decision was not a surprise. "Judge Lewis ruled against us in 1971, so in Round 2 this is not a surprise, to say the least. We'll take the next steps that are necessary to seek court action to prevent any construction activity pending our case being at the appeal level." In addition to seeking to reverse the ruling on appeal, opponents planned to try to convince the White House to oppose I-66. "I think there may be people who think Coleman's was a bad decision and the question is when are they going to rectify the bad decision." He explained that, "It wouldn't be the first time a decision on I-66 was changed."

Latto explained his plans:

We'll go before him bright and early Monday morning. If the earlier script is followed, he'll turn us down, and we'll go immediately to the Court of Appeals in Richmond. I

continue to feel rather optimistic. I think we have rather sound arguments and I hope we'll get a favorable decision.

[Boodman, Sandra G., "Judge Gives Virginia Go-Ahead to Build Rte. I-66," *The Washington Post*, August 6, 1977; Holt, Brad, "Judge Gives I-66 a New Go-Ahead," *The Washington Star*, August 6, 1977]

On Monday, August 8, the attorneys approached Judge Lewis seeking an injunction. He said he would grant the injunction if the groups opposing I-66 posted a \$500,000 bond to cover cost increases due to the delay. Latta told reporters, "I think Judge Lewis recognized we were incapable of raising \$500,000." Instead, papers requesting an injunction were "being hand-carried to Richmond right now." He hoped for a decision later that day but admitted it "might well be several days."

Moments later, "a four-man crew started chain saws and toppled trees just outside the Beltway where the superhighway now abruptly ends." A VDHT spokesman said, "We hope to be in full swing later this week. Maybe by then the contractor will begin moving in heavy equipment." Harwood told reporters, "I don't intend to stop unless ordered by the courts. This is the farthest we have ever got." [Boodman, Sandra G., McAllister, "Virginia Crew Starts Clearing Path for

I-66," *The Washington Post*, August 9, 1977; "Workers Clear I-66 Pathway as Protests Fail," *The Washington Star*, August 9, 1977]

The appeal to the Fourth U.S. Circuit Court of Appeals stated that the plaintiffs could not raise the \$500,000 bond required by Judge Lewis and argued that "contrary to Judge Lewis' ruling . . . [plaintiffs] began to suffer irreparable injury as soon as construction commenced." The appeal also argued that Secretary Coleman and Secretary Adams had exceeded their powers in approving I-66, as the *Post* summarized:

Coleman was accused of "horse trading" in the brief by conditioning his endorsement of the plan on Virginia Gov. Mills E. Godwin's promise to transfer \$30 million of unused interstate highway money to the Metro subway system in Washington. "Here . . . it is evident that Interstate 66 was the price extracted by Gov. Mills E. Godwin for completion of the Metro subway system in Virginia," the brief said.

With unusual speed, the appeals court scheduled the hearing on the injunction in Richmond for the following day. [McAllister, Bill, "Appeals Court Will Consider Rte. 66 Plea," *The Washington Post*, August 10, 1977]

According to the *Post* coverage, the plaintiffs left the hastily assembled three-judge appeals panel "baffled and incredulous today at suggestions that they should, for a second time, block construction of Rte. I-66." Judge Donald S. Russell, "who seemed to be puzzled by the dispute," asked, "You think they ought to close off all entrances to the city? Why do you not want more people to have easier access to your city?"

The *Post* continued:

He wasn't alone. "Something's wrong here," snapped Judge H. Emory Widener, Jr., the only Virginian on the three-judge panel. What was wrong, Widener made clear, was not the state's proposal to build the four-lane, limited access road What was wrong, he said, was the suggestion by the road's opponents that Virginia not build the road and turn over the highway construction costs, about \$200 million, to the Washington Metro subway system. "They don't build Metro with highway funds, you know that," he told Gary D. Williams, lawyer for the four civic groups fighting the highway.

(The Post pointed out that under the Interstate withdrawal-substitution mechanism, that was essentially what happened, with equivalent funds coming from the general Treasury.)

Overall, "Wilson's argument found little, if any sympathy from the three judges who had been hurriedly assigned to the case late yesterday." The three-judge panel did not issue a ruling initially, but "their comments and critical questions left little doubt that the state will be free to continue building the road until at least October" when the appeal of Judge Lewis's full ruling would be heard. By then, VDHT was expected to have advertised for bids on the second 1.75-mile section of I-66.

Nevertheless, Wilson tried to remain optimistic. "I hope on reflection they will change their opinion."

On August 12, the three-judge panel found that VDHT could continue construction pending a ruling on the appeal. Having denied the injunction, the U.S. Circuit Court of Appeals put the case on an expedited schedule for a hearing in October. [McAllister, Bill, "I-66 Dispute Seems to Baffle Appeals Judges," *The Washington Post*, August 11, 1977; "Court Gives Go-Ahead for I-66," *The Washington Post*, August 13, 1977]

By then, as Leland White put it, "ACT was running out of ammunition." Nevertheless, the *Star's* Thomas Crosby stated in an August 1977 retrospective, "Neither side is willing to say 'uncle.'" [White, page 64; Crosby, Thomas, "I-66 – Anatomy of an Embattled Highway: 19 Years Later the Fight Rages On," *The Washington Star*, August 16, 1977]

On March 15, 1978, the 4th U.S. Circuit Court of Appeals in Richmond unanimously upheld the decision by Judge Lewis. The court's ruling noted that construction of I-66 had been halted in 1972 because of failure to comply with environmental laws. Now, the court found that, "The secretary of transportation has complied with all of the applicable environmental protection statutes in approving the final I-66 proposal." The court also rejected the argument that in view of UMTA Administrator Patricelli's directive for reconsidering rail lines in Virginia, Secretary Coleman had not considered that Metro might not extend past Glebe Road. The court said that FHWA "properly concluded" that the truncation was not likely enough to merit detailed discussion in the EIS. The court also found no merit in the argument that the EIS had not sufficiently discussed four options the plaintiffs identified as reasonable alternative to I-66.

Hank Levine, an attorney for ACT and its co-plaintiffs, said, "We think the decision is legally weak in several respects." ACT's Sue Bachtel said, "I think it is a disastrous decision." The group was considering whether to pursue its only remaining judicial recourse: an appeal to the

U.S. Supreme Court. [“I-66: Another Court Victory,” *The Washington Post*, March 16, 1978; Knight, Athelia, “Civic Groups to Decide On I-66 Appeal Soon,” *The Washington Post*, March 23, 1978]

Meanwhile, construction companies on I-66 were experiencing vandalism, as reported in the *Post*:

Paint-filled balloons have been thrown on machinery, tar has been spread on tractor seats and windshields, door handles have been removed and trash has been stuffed in exhaust pipes and air intakes, according to Charles Scott, project management for Expressway Constructors, Inc. Once, Scott said, the chains and binders holding down a load of logs on a flatbed truck were removed and taken.

James Govan rejected such tactics:

Our organization has never, ever advocated any irresponsible behavior. We have consistently acted within the system But it wouldn't surprise me that some of this vandalism would go on. Emotions in the community are running very high. [Grubisich, Thomas, “Vandals Harass Contractor Doing Work on Rte. I-66,” *The Washington Post*, March 31, 1978]

ACT decided against an appeal to the Supreme Court, but on April 18, the District of Columbia's city council voted unanimously to pursue one more appeal: to President Carter. The council's resolution asked him to block continued construction because I-66 would generate excessive traffic on the city's congested streets. [“D.C. Council Opposes Extension of I-66,” *The Washington Post*, April 20, 1978]

By this point, *Post* editors concluded that, “Though some opponents are still fighting, I-66 is being bulldozed through Arlington and is not likely to be stopped.” The real question was “what President Carter and Transportation Secretary Adams should do to relieve commuter congestion in the I-66 corridor and the region as a whole.” Construction of the Metro rail line to Vienna was a “strong point of the I-66 compromise,” but was undermined by Secretary Adams' demand for reconsideration of the rail line as part of a new financial plan for the system.

The Federal Government also should do more as the area's largest employer to promote mass transit. The commuter-oriented I-66 was likely to have only a marginal effect on congestion:

According to a formidable heap of studies, if the Virginia suburbs grow as planned, the morning auto traffic will keep getting worse – even with Metro and I-66. Before long, the Potomac bridges will be unable to handle the crush.

The editors hastened to add, “this is not an argument for more bridges and roads”:

For as most area governments now see, long-term relief can be gained only by getting more commuters out of their cars and modifying working hours to ease the crush on buses and trains as well as roads. Mr. Carter should set such goals for the federal establishment

– and start toward them by raising federal offices’ parking fees and making wider use of flexible working hours, four-day work weeks and the like.

These types of changes would be tough. “But if Mr. Carter really wants to curb air pollution and urban traffic snarls, there is no better place for strong federal leadership than here.” [“I-66 and Beyond,” *The Washington Post*, March 25, 1978]

On June 9, 1978, Federal District Judge George L. Hart, Jr., dismissed a suit by a coalition of environmental groups known as Continued Action on Transportation and Environment, Inc., arguing that I-66 would violate the Clean Air Act. [“I-66 Challenge Fails In U.S. District Court,” *The Washington Post*, June 10, 1978]

Although the courts would not again block construction of I-66, protests would continue. During a June 3 meeting of the Arlington County Board, an opposition group called Contact charged that VDHT was clearing enough land for an eight-lane highway. Contact members arrived in the hearing room wearing t-shirts that proclaimed: “Stop I-66: We’ve Just Begun to Fight.” Although the Arlington County Board agreed to investigate, Director of Public Works Hulme was dismissive. “People see a lot of clearing and associate that with eight lanes, but utility lines have to be put in and the retaining walls take up a lot space.” State Delegate Elise B. Heinz, a Contact coordinator, was not so sure:

The right of way was condemned years ago when the plans called for eight lanes and today they are clearing that whole space. The most charitable thing you can say is that they’re building a four-lane highway with a very big median. [Washington, Adrienne, “An Eight-Lane I-66 in the Making?” *The Washington Star*, June 4, 1978]

Representative Fisher requested a meeting with President Carter to appeal the decision to proceed, as well as Contact’s claim. The *Post* reported on President Carter’s preparation for the June 28 meeting:

Carter called Adams yesterday morning and asked him if the project was being closely monitored by the Federal Highway Administration and was being built within the terms of the agreement.

“I assured the President that it was,” Adams said. He said that his department has been carefully studying the I-66 design and construction practices and that “we have no reason to suspect it isn’t being done precisely by the numbers.”

Carter told Fisher that I-66 had been a “close call” along with a number of other national highway projects, the Fisher spokesman said.

However, he would not reopen the decision. [Feaver, Douglas B., “Carter Declines to Reopen I-66 Case, Fisher Says,” *The Washington Post*, June 29, 1978]

By then, the controversy had become almost tiresome to observers such as reporters and editors who, because of their job description, could not look away. A *Star* editorial on February 2 had been headlined: “The I-66 Bitter-Enders”:

Is there no end to what Secretary of Transportation Brock Adams once called the “aimless wrangling” over construction of Interstate 66 through Arlington?

This project has been fought for more than 15 years through the courts, the county boards and other local government agencies, the state legislature, the federal Department of Transportation, from soap boxes and sound trucks. Finally, the legal debris was cleared away, proper clearances were obtained from federal transportation officials, and work was begun last year.

But the opponents won't concede defeat State and federal officials have determined that I-66 is needed as part of a balanced transportation system. Surely the courts and state officials must be getting tired of the bitter-enders' efforts to kill the project. [“The I-66 Bitter-Enders,” *The Washington Star*, February 2, 1978]

The weariness also was reflected in a *Post* editorial on July 1 that began:

In our dog-eared copy of *The Greater Washington Anthology of Seemingly Endless Planning Controversies* – near the fat chapter called “The Tale of Three Sisters, and How They Grew” – there's an action-packed yarn under the title “I-66.” It's the story of a Northern Virginia highway corridor . . . and the nip-and-tuck, 20-year effort either to build or to block the freeway strip.

The argument that the right-of-way was wider than necessary was the “last gasp from the road's opponents.” After recounting Secretary Adams's comments and the President's response to Representative Fisher, the editorial concluded:

For the benefit of anyone who may still be clinging to some hope of killing I-66, the word is . . . Give up

We trust that the monitoring will go on until the work is done. But the fight is over. A deal's a deal: Name it the Mills Godwin Highway, in honor of the former governor who drove the I-66-for-Metro bargain that let the road be built and let officials get on with the business of financing and promoting mass transit – and doing whatever else it can to ease the daily traffic in this corridor. [“No More Kicks on I-66,” *The Washington Post*, July 1, 1978]

On January 30, 1978, Governor John N. Dalton submitted the request to the U.S. Department of Transportation to withdraw all of the 0.4-mile route of I-266 in Virginia. FHWA Administrator Karl S. Bowers and UMTA Administrator Richard S. Page approved the withdrawal on August 16, 1978. They indicated:

The current amount of Federal funds authorized by this withdrawal for substitute projects serving the Washington urbanized area is \$38.3 million. This amount is based on the 1977 cost estimate of \$35.6 million (Federal funds) adjusted for changes in construction costs through the first quarter of 1978. The amount of \$38.3 million is subject to further adjustment in accordance with the provisions of Section 103(e)(4) and any required refinements in the 1977 cost estimate base amount.

Governor Dalton's letter had indicated that WMATA would submit the substitute projects to be implemented and asked that FHWA and UMTA approve the projects at the same time as the withdrawal. The two Administrators advised him that, "We note that the Urban Mass Transportation Administration has received a draft application from WMATA for the substitute transit projects to be approved under this withdrawal." However, approval at the same time as the withdrawal was not necessary. Action on the substitute projects "will be taken when the projects are ready for approval."

On July 1, 1982, Governor Charles S. Robb requested withdrawal of the remaining 0.84-mile segment of I-595. FHWA had approved the route as part of the Interstate System on January 18, 1971. The official description was:

In Arlington, from a junction with Interstate Route 95 at its intersection with the Jefferson Davis Highway [U.S. 1], southerly to the Washington National Airport Viaduct Connector.

The idea was to provide an Interstate alternative to the George Washington Memorial Parkway for motorists driving between Shirley Highway (then I-95) and Washington National Airport. The *Post* described the idea:

Most National Airport traffic to and from Washington currently uses six-lane George Washington Memorial Parkway. State highway officials said they expect much of it to be diverted to I-595 when the project is completed.

Under the [Virginia State Highway] commission's plans, Rte. 1 will be expanded from four to six lanes along a one-mile stretch from the existing overpass leading from National Airport to the point where Rte. 1 connects with I-95 at the Pentagon.

Thus, traffic would flow from the airport, along the overpass, through the Crystal City complex on the improved Rte. 1, into the Shirley Highway-Pentagon network and across the 14th Street Bridge.

The highway is to be made limited-access by cutting off most existing streets and driveways. Service roads would be provided, along with interchanges at 15th and 23d Street.

Construction was to begin in mid-1972, take about 2 and a half years, and cost over \$20 million. [Dewar, Helen, "Airport Access Seen Aided By Widening of Va. Rte. 1," *The Washington Post*, April 20, 1971]

(The official description was changed on June 28, 1976, to reflect the change in designation of the Shirley Highway from I-95 to I-395.)

As often was the case, the proposed Interstate highway was delayed by criticism from local officials, area residents, and businesses that would be blocked from access they enjoyed along U.S. 1. The Arlington County Board suggested that VDHT consider alternatives to the proposed Interstate highway. Residents with homes near U.S. 1 formed the Jefferson Davis Corridor

Transportation Coalition and threatened to go to court if VDHT did not consider alternatives such as:

The Jefferson Davis group, during a county board hearing last month on I-595 [March 1972], proposed an alternative to the eight-lane elevated road, making the existing highway one way south and widening Ball Street (parallel to Route 1) to four lanes for north-bound traffic. [Brockett, Diane, "With I-66 at Standstill, Arlington Eying I-595," *The Sunday Star*, April 16, 1972]

VDHT issued an EIS for the project in June 1973. According to the EIS, the elevated, six-lane Interstate highway was needed to relieve congestion between I-95 and the airport, but would raise noise levels above government standards, displace 15 businesses, and increase air pollution – at least until the Federal Government required emission control devices on all vehicles. The EIS discussed four alternatives – (1) widening U.S. 1, create a one-way pair with U.S. 1 and either (2) Ball Street or (3) Eads Street, and (4) do nothing.

Donna Jensen of the Aurora Highlands Civic Association criticized the EIS because it did not consider a mass transit alternative and for requiring a waiver of Federal noise requirements for the preferred alternative. Emilia Govan called the EIS a "piecemeal fragmented approach" to transportation planning and recommended that VDHT consider the entire U.S. 1 corridor in Alexandria and Fairfax County. [Crosby, Thomas, "Wide Rt. 1 Battle," *The Washington Star-News*, June 8, 1973]

Although VDHT approved the design for an elevated six-lane highway, construction had still not begun in 1975. A VDHT spokesman said, "All systems are not go, and we are not ready to construct. It still has to have federal review, and it still has to have some money. The whole thing is still several years off." The Arlington County Board had tentatively approved the project in 1972, but in 1975, member Everard Munsey said, "I personally view the thing as far from a settled issue." Given changes in the economy and the price of gasoline, "I think we ought to look at the whole matter again." [Kast, Sheilah, "The Design's O.K., But I-595 Still is Way Down the Road," *The Washington Star-News*, July 20, 1975]

In August 1976, VDHT awarded a contract to Slattery Associates, Inc., of Maspeth, New York, for construction of the controversial six-lane elevated highway. Construction, which was to begin in a month, would be completed by October 1, 1978. Within days, however, three citizen associations and two hotels filed suit in U.S. District Court in Alexandria, to halt the project. The general manager of Hospitality House at 2000 Jefferson Davis Highway explained that building the elevated roadway would "be like putting up the great China Wall," making the hotel inaccessible to the Crystal City area.

Judge Albert V. Bryan, Jr., granted an injunction on November 24. The EIS, he found, "was too limited" in scope. "It's arbitrary and capricious not to extend the area under consideration beyond the south end of the project at least as far as the Monroe Avenue Bridge." He also questioned public involvement during the environmental review. "Public notice was wanting," he said. Two hearings should have been held, not just one. "Solicitation of views leaves much to be desired and the report following the hearing was inadequate."

Judge Bryan cautioned plaintiffs that while he approved the injunction they sought, “all you may have accomplished is a delay.” If VDHT prepared a revised EIS and held a second public hearing, “I have a feeling the project may be approved.” [Crosby, Thomas, “Elevated Route 1 Gets Green Light,” *The Washington Star*, August 21, 1976; Crosby, Thomas, “Neighbors Try to Block 6-Lane Road,” *The Washington Star*, August 25, 1976; Holt, Brad, “I-595 Construction Stopped by Judge, At Least for Now,” *The Washington Star*, November 25, 1976]

VDHT kept the I-595 project alive until February 1979, when officials finally scrapped plans for the six-lane elevated highway linking I-395/Shirley Highway and Washington National Airport. Harold King, FHWA’s former Virginia Division Administrator who was now VDHT commissioner, said, “There was no way we could change the plan without tearing out half of Crystal City for alternative interchanges.” Instead, VDHT would pursue upgrades to existing U.S. 1. [Boodman, Sandra G., “Va. Changes Design for Interstate,” *The Washington Post*, February 22, 1979]

The northerly 0.29-mile segment of I-595 connecting U.S. 1 to I-395 was built and opened to traffic.

On August 27, 1982, FHWA Administrator Ray A. Barnhart and UMTA Administrator Arthur E. Teele approved withdrawal of the remaining section of I-595. The estimated cost shown in the 1981 ICE was \$22.6 million. The previously opened 0.29-mile segment was removed from the Interstate System.

As finally calculated, the full value of Virginia’s only two Interstate withdrawals was \$78.2 million. The State directed \$51.7 million to transit projects.

(On August 7, 1981, *The Washington Star* ceased publication.)

Completing Metro

When General Jackson Graham retired at the end of January 1976, the Metro rapid rail system was 2 months from opening its first segment—but its schedule and financing were, effectively, beyond the control of WMATA.

The success of the five-station short line could not hide Metro’s financial problems; the line cost \$75,000 more to operate each day than WMATA received in fares. [Schrag, page 186] Area officials were trying to find a way to address deficits and multimillion dollar losses for combined Metrobus and Metrorail construction, operation, and maintenance. The *Post* reported:

Key District of Columbia and suburban officials, troubled by Washington’s deficit-ridden transit system, are moving toward a major revamping of Metrobus management and possible curtailment of the planned 98-mile subway network

Prince George’s County Councilman Francis B. Francois, who became chairman yesterday of the Metropolitan Washington Council of Governments, used his opening statement to launch a new study of possible, major cutbacks in the planned subway

system because of “staggering” Metro costs that, he said, could bankrupt local governments.

Coming from a transit advocate, his call for reconsideration was significant:

I hope that this proposal of mine will bring into the public arena many of the off-the-record comments of concern we have all heard from our fellow elected officials over the past months.

All officials hoped for relief from the Federal Government to avoid retrenchment, but the Ford Administration had been less supportive than the Nixon Administration. On January 27, Secretary Coleman had joined General Graham for speeches before the Federal City Council:

Graham, speaking first, criticized Ford for failing to reaffirm the federal government’s commitment to building the entire system.

While there is \$875 million in interstate highway funds that can be transferred for Metro construction, Graham said, unless Ford takes a leadership role, local governments will not approve matching shares so the money can be used for Metro.

The situation is such that “everyone in town can say no, only one guy can say yes,” Graham said.

Graham’s criticism “seemed to strike a responsive chord in Coleman.” He said he would “violate the rule that as a public servant you do not commit yourself.” His prepared remarks had not mentioned completion of the entire system. However, he abandoned those remarks to say, for the first time, that the Federal Government should help the Washington area complete the network. He said that failing to do so would “be a breach of faith to the people in this district.” He added that he needed to get together with officials in Maryland and Virginia to secure the necessary Interstate transfers. [Crosby, Thomas, “Coleman Says U.S. is Obligated to Help Finish Metro System,” *The Washington Star*, January 28, 1976]

On the day he left his position, General Graham was blunter. He said his resignation stemmed from President Ford’s abandonment of the 100.6-mile rail network:

“It’s a personal objection on my part,” said Graham, adding that he has been worrying about presidential support ever since Watergate “distracted” Metro’s supporters “at both ends of Pennsylvania Avenue.”

... “The contrast is just dramatic” between President Nixon’s pre-Watergate efforts on Metro’s behalf and Ford’s “fence-straddling,” Graham said.

He pointed out that President Ford, while in the House, had never supported mass transit. Minority Leader Ford had suffered a “bitter defeat” in December 1971 when the House voted to overturn Chairman Natcher’s withholding of the District matching funds for Metrorail construction:

“I don’t think the President has ever quite forgotten it,” said Graham, who predicted the President eventually would take a public stand in support of Metro.

Thus far, the Ford Administration and Secretary Coleman had favored using the Interstate withdrawal-substitution program to pay WMATA’s \$1.6 billion overrun:

“There’s been no scandal or corruption . . . after the obligation of some \$2.2 billion, in the most scandal-sensitive place and era in all history,” Graham said.

“It’s another question of whether the U.S. can keep its promises. In France and other European countries they say they will build something and then go ahead and do it. Washington is a symbol not only for this country, but the world and we’re bogged down over a subway,” Graham said.

In a presidential election year, with former Governor Ronald Reagan of California challenging President Ford in the primaries from the right, Graham did not expect a solution in 1976:

Without Ford’s support Graham said he could not endure “another 10 to 12 years with all the bureaucratic crap Metro will be in with the Urban Mass Transportation

Administration and the U.S. Department of Transportation.” [Crosby, Thomas, “Why Metro Chief Quit: Ford ‘Fence-Straddling,’” *The Washington Star*, February 1, 1976]

Secretary Coleman, in abandoning his prepared remarks, had made a commitment that the Administration in which he served was not prepared to keep.

By mid-year, WMATA had a new cost estimate for the entire system of \$5.512 billion, including a contingency of \$487 million. As noted earlier, the Ford Administration had agreed internally on a ceiling of \$4.65 billion. If WMATA could not build the full planned rail network for that amount, it would have to finance the difference in some way or shrink the system. Secretary Coleman moderated that position somewhat by suggesting that if WMATA used “extraordinary efforts” to contain cost, he might accept a higher cost. [Schrag, page 186]

WMATA chose 31-year old Deputy Under Secretary of Transportation Theodore Lutz to be the new general manager. Professor Schrag described his qualifications:

After getting a master’s degree in management from Syracuse University’s prestigious Maxwell School in 1968, he had found a job at the Bureau of the Budget (later, OMB). Among his other duties, he was given the task of reviewing the District’s budget, so he found himself working with Mayor Washington and other local officials. Lutz’s work also impressed Nixon staffer Egil Krogh, responsible for D.C. affairs at the White House. When, after the 1972 election, Krogh moved to the Department of Transportation, he brought Lutz – still only twenty-seven – with him as deputy under secretary of

transportation for budget and program review. In this capacity, Lutz had chaired a committee on Metro financing, in effect becoming a federal representative on the WMATA board, despite the compact negotiators' early decision not to have one. In 1975 he had compiled the department's report on Metro funding.

Lutz was no Jack Graham. He was not an engineer, he had never managed more than a dozen people, and he was a generation younger than the many veterans of World War II who had done most of the work bringing Metro from idea to reality. But the board understood that Metro no longer needed a builder as much as it needed a bean counter. Board members had found him to be skilled, well connected, and, as a Minnesota native, neutral among the jurisdictions. His skills as diplomat and financier would soon be put to the test. [Schrag, page 186]

A *Star* profile reported:

When Metro's selection committee asked Lutz to be a general manager candidate, he cleared it first with Coleman.

He left little doubt that he would take the up-to-\$60,000-a-year job saying, "I am heavily driven to perform public service. My father thinks I'm crazy . . . (but) I'm driven by that psyche."

Since coming to Washington in 1968, Lutz and his wife [Willa] have lived in a two-bedroom townhouse in Southwest Washington [at 743 Third Street, SW]. For the last three years Lutz has walked to work at DOT where he puts in 10 to 12 hours a day and often takes work home on weeknights and weekends.

"The one vice that gets me out of work early once a week in the summer is playing softball," Lutz said. "I'm a softball freak."

A deacon in Trinity Presbyterian Church in Arlington, Lutz plays on the church team. Both he and his wife teach a Sunday school class for fourth and fifth graders.

Willa and Ted Lutz soon moved to 2647 North Powhatan Street in Arlington. In looking for a home, the couple had two goals. It be near their church and near a bus stop. He commuted to work by bus, trying to keep his work to 5 days a week. The couple had only one car, a new Ford Fairmont they bought to replace their aging Ford Pinto.

(Krogh, caught up in the White House plumbers aspect of the Watergate scandal, left the Department of Transportation in May 1973.)

Even as WMATA announced his appointment on September 24, 1976, UMTA Administrator Patricelli was addressing the joint meeting of WMATA, COG, and TPB to reiterate the \$4.6 billion cap, as discussed earlier.

Lutz, vacationing in California before assuming his new position, told reporters, he would like to build the entire system "if at all possible," but did not think Metro officials should be "oblivious" to concerns about the rising cost. "I don't think Metro can just stick its head in the sand and say, 'Bet lost.'" He added, "Everything's not immutable."

He would face the funding challenges realistically. The Metro financial plan “should convince the public it’s not business as usual and that Metro is not gold-plating the system right out the window.” He added, “I feel the key to making Metro work is that local governments must take action in regard to automobile usage so as to make their tremendous investments productive.” [Lynton, Stephen J., “Cut in Metro Cost Ordered,” *The Washington Post*, September 25, 1976; Crosby, Thomas, “New Metro Boss Lutz Vows Completion of Area Rail System,” *The Washington Star*, September 25, 1976; Feaver, Douglas B., “Lutz: Stint at Metro,” *The Washington Post*, November 8, 1978]

Two months later, former Georgia Governor Jimmy Carter (1971-1975) defeated President Ford and took the inaugural oath on January 20, 1977. The new President was a seemingly easygoing former Navy officer who had served under Admiral Hyman G. Rickover in his fledgling nuclear submarine program. A Christian, peanut farmer, State legislator, and Governor, Carter’s image of honesty, decency, and intelligence was a welcome contrast to “Tricky Dick” Nixon, corrupt Spiro Agnew, and the amiable Gerald Ford whose highest aspiration had been to be Speaker of the House. Former Senator Walter F. “Fritz” Mondale of Minnesota was the Vice President.

When it came to rail rapid transit in general and Metro in particular, new Secretary Adams took an even harder line than Patricelli, based on the new President’s views. He took his views from President Carter, who sent a hand-written memorandum to the White House on March 21, 1977:

I suspect that many of the rapid transit systems are grossly oversized. We should insist on (a) off-street parking, (b) one-way streets, (c) special bus lanes, (d) surface rail-bus, as alternatives to subways. In some urban areas, no construction at all would be needed if a, b and c are required. J. Carter [Mollison, Andrew, “Adams in Search of New Transportation Policy,” *Atlanta Constitution*, July 24, 1977; Schrag, page 187. Underlining in original]

In September 2018 e-mail, Mortimer L. Downey III, who at the time was Assistant Secretary for Budget and Programs, U.S. Department of Transportation, recalled the arrival of Carter’s handwritten note:

Exec Sec Linda Smith brought it into the morning staff meeting with copies for everyone around the table, and by the end of the day it was in the hands of Congress and the media. This gave a real push to alternatives analysis” for proposed rapid rail systems. [Downey, Mortimer L. III, e-mail to Richard F. Weingroff, September 19, 2018]

Asked about President Carter’s message, General Manager Lutz said, “I hope this isn’t taken solely in light of budget cuts but is taken in the light that [people in mass transit] should find out how to do the best job possible.” [Behr, Peter, “Carter Faults Mass Transit,” *The Washington Star*, March 29, 1977]

In May 1978, the joint committee of WMATA, COG, and TPB that former Administrator Patricelli had addressed completed its alternatives analysis. It had considered each of the remaining lines, took public comments, and studied variations, with a result that Professor Schrag summarized:

With the reports in hand, on 11 May 1978, the joint committee met and recommended some changes. The biggest was to reroute the Green Line's "F" branch in southern Prince George's County [Maryland], from the original terminus at Branch Avenue to a more westerly route to the Rosecroft racetrack. (Ironically, this, the largest change of the alternatives analysis, was later reversed by a court decision.) The committee also slightly modified alignments on two other branches, and increased parking at a few stations. Other than that, the 1968 system was intact.

In short, the report reflected the idea that "while Metro was indeed very expensive, it was not necessarily a bad value." [Schrag, page 189]

(As Professor Schrag noted, the terminus of the Green Line in Maryland was reversed in court. The controversy on this line delayed completion of the Green Line, leading to complaints that white communities in Maryland, Virginia, and the District were receiving service before the predominantly African-American population along the projected Green Line in the District and county. The final link to the terminus at Branch Avenue opened on January 13, 2001, completing the 103-mile, 83-station Metrorail system, as planned to that point.)

The alternatives analysis and similar reviews had little impact because, first, local officials were committed to the full system. Despite all the political winds, they were convinced that in the end, the Federal Government would pay two-thirds of the cost of construction. "Even Frank Francois, who in early 1976 had called for a reevaluation of Metro, believed that that task had already been completed by the time of Patricelli's mandate in September of that year."

According to Professor Schrag, "The second reason the studies had so little impact was that Metro had been planned as a whole, both physically and financially." If a community on a rail line suddenly became the terminus of a truncated route, the impacts could be significant:

[It] was not easy to turn a more central station into a terminus. As Lutz explained, "several communities have never envisioned themselves as being a terminal point, and all of a sudden if that was the decision, the idea of a big parking structure . . . will be over their dead bodies and they will use every tool they have to stop it."

As for finances, Metro's red, orange, yellow, green, and blue lines were like colored wires on a B-movie time bomb: clip one and the whole thing explodes. Deleting any route would provoke the affected jurisdiction to demand tens of millions of dollars back from the Authority, with interest. It was easier for WMATA to keep borrowing, especially since each cut would only save a small percentage of the system cost.

He added a third reason that vindicated all who had promoted Metro over the decades:

The third reason that the studies failed to harm Metro was that by 1978 Metro was enormously popular. Even in the dark days of 1975, polls showed that local residents still supported completing the 100-mile system, even if it required more local funds. With real trains running, that popularity grew. In July 1977 Phase II had opened from RFK

Stadium to National Airport. Congressmen could now get from the Capitol to the airport in less than half an hour, regardless of congestion on the streets above.

Fourth, alternative transportation modes could not compete with a dedicated rail line:

Fourth, and most important, the studies compared a completed Metro with possible alternatives, and no study could offer a serious alternative to heavy rail as a mode of transit. Buses, light rail, and even cars could provide better numbers in the right economic models, but not in the real world.

Finally, the Nation was in the midst of its second energy crisis, giving renewed emphasis to the value of transit. The public remembered the first crisis that began in October 1973, but had adjusted to the resulting increased oil prices. When President Carter announced an energy initiative on April 18, 1977, calling for the “moral equivalent of war,” he seemed out of touch with public attitudes, congressional concerns, and the conventional wisdom in Washington and elsewhere.

The second energy shock began in January 1979 with the Iranian revolution under Ayatollah Khomeini in January 1979:

Oil companies and motorists around the world panicked, driving oil prices from \$13 to \$34 a barrel, while American refineries tuned to Iranian crude struggled to adjust to oils from other sources. By spring, drivers around the country found themselves on hour-long lines when they sought to fill their gas tanks. In Washington, tens of thousands of frustrated drivers tried mass transit (bus as well as rail) for the first time. By June 1979 four out of ten Virginia commuters to Washington used transit, up from three out of ten in 1977, and average weekday ridership surged from 250,000 to more than 275,000 per day. In this context, a rapid transit system whose electricity could be generated from good old domestic coal began to look increasingly attractive.

For all these reasons, the alternatives analysis proved to be a dud Local politicians crowed that the study had affirmed the region’s wish for a 100-mile system in the most emphatic terms possible. [Schrag, pages 189-193]

The cost continued spiraling upwards in the face of high inflation, delays, and increased oil costs:

By the spring of 1979, the cost estimate was up to \$6.8 billion, \$7 billion if the federal government dribbled out its contribution slowly, or \$7.4 billion if interest costs, system add-ons, and handicapped facilities were thrown in.

Use of the Interstate withdrawal-substitution mechanism that Secretary Coleman had seen as a fallback for construction cost increases had reached its end, with about \$2 billion in transfer funds from the general Treasury going to WMATA for Metro construction. [Schrag, page 193]

As of mid-1979, however, Secretary Adams was withholding about \$1.2 billion of the substitution funds from WMATA. The delay had begun a few years earlier while UMTA Administrator Patricelli awaited the alternatives analysis. The Carter Administration held the

funds while WMATA decided which routes would be advanced with the funds. Administration officials wanted WMATA to speed up construction of the Green Line through Anacostia, southeast, one of the lower income parts of the city.

On July 11, Secretary Adams announced that he would release the transfer funds based on Metro's new construction schedule for completing about 40 miles of the rail line in early 1990. The Green Line from the L'Enfant Plaza hub station to Anacostia was scheduled to open in mid-1985; to Southern Avenue later that year; and to Rosecroft Raceway, then the terminus of the line, in late 1986.

In a letter to Metro Board Chairman Jerry A. Moore, Secretary Adams said, "we are prepared to use your schedule as the basis for approval of the transfer funds," but with three conditions that the *Post* described:

Metro must sell \$76.5 million in real estate that it purchased with federal assistance and that the federal government considers excess.

Metro must pursue cost-cutting construction methods, including the elimination of vaulted arch stations underground. Additionally, Metro must review its plan to put the Yellow-Green Line through Fort Totten Park in a tunnel. That is a potentially explosive issue in the Fort Totten neighborhood of Northeast Washington, where Metro's original plans called for a cheaper elevated line.

Metro and the federal government must reach a final agreement on how to retire the interest and principal on \$1 billion in revenue bonds sold to raise construction funds. An agreement in principle on a draft already exists.

Secretary Adams added that, "We recognize that a new congressional authorization will be necessary to fund completion of the system."

Metro's general manager, Richard S. Page, said of the Adams letter, "This is the best news from the federal executive branch for Metro in three years." [Feaver, Douglas B., "U.S. Will Release Millions in Metro Building Funds," *The Washington Post*, July 12, 1979; Washington, Adrienne, "Metro Funds Release Pledged by Adams," *The Washington Star*, July 12, 1979]

(Theodore Lutz had resigned as general manager in April 1979, saying he was "burned out." Page, former executive director of the Municipality of Metropolitan Seattle (METRO, a transit and water pollution control and planning agency), had served as UMTA Administrator under President Carter (1977-79) before becoming general manager of Metro. On September 25, 1979, President Carter nominated Lutz to be the new UMTA Administrator, a post he held through the end of the Carter Administration in January 1981.)

Based on the latest estimates, Secretary Adams's release of \$1.2 billion in transfer funds meant that Metro would need about \$1.7 billion more funds for completion. Congress was already at work on providing that funding.

On July 15, President Carter returned from a secretive stay at Camp David to deliver his “crisis of confidence” speech, often called the “malaise speech” although he had not used that word. Many factors had undermined the Nation’s confidence in its government, he said. One problem was the energy crisis. To fight it, he proposed several plans. Among other items, he called for mandatory conservation and authority to ration gasoline if needed. He also proposed an extra \$10 billion to strengthen public transportation systems over the next decade:

I’m asking you for your good and for your Nation’s security to strengthen our public transportation systems. And I’m asking you for your good and your Nation’s security to take no unnecessary trips, to use carpools or public transportation whenever you can, to park your car one extra day per week, to obey the speed limit, and to set your thermostats to save fuel. Every act of energy conservation like this is more than just common sense – I tell you it is an act of patriotism.

To revitalize his presidency, Carter fired several Cabinet members, including Secretary Adams, who left office on July 20. His successor would be Mayor Neil E. Goldschmidt of Portland, Oregon, who would take office on August 15 and serve until January 20, 1981.

At the start of the 96th Congress in 1979, Representative Harris of Virginia had introduced a bill, cosponsored by Representative Fortney H. (Pete) Stark, Jr. (D-Ca.), authorizing \$1.7 billion for Metro, \$197.7 million in operating subsidies, and adoption of WMATA’s outstanding debt. Professor Schrag explained:

Rather than even trying to change minds at the White House, he instead planned to outflank the administration. He compiled a list of the hundred or so remaining members of Congress who had voted against Natcher in 1971, and wrote each a letter addressed, “Dear Father of Metro.” One recipient was Robert Giaimo himself, now powerfully positioned as the chairman of the budget committee. When Carter’s representative approached Giaimo to ask him to oppose Harris on grounds of economy, Giaimo responded, “Good Lord. I’m the father of Metro. How can I fight it?”

Representative Harris gained additional support by convincing Representatives in transit-heavy areas that his bill meant that Metro would no longer compete with their jurisdictions for scarce Federal-aid transit funds.

The House prepared to consider the bill on July 16, the day after the Crisis of Confidence speech, despite what the *Post* called “an unexpected last-minute effort by the Carter administration to defeat it.” An unnamed spokesman said the White House “wants to pull back and reassess” how the Metro bill fit in with President Carter’s \$10 billion plan announced the day before. The *Post* added, “The White House opposed the bill on the grounds that it gives too much money to a single city.”

Secretary Adams’s view of the bill was unclear even as he clung to his job. A Department spokesman had said Secretary Adams “favors the Metro funding bill,” but White House lobbyist Bill Cable said the Secretary’s letter to Chairman Moore about release of \$1.2 billion “indicated that some legislation is need,” not necessarily the current bill.

Nevertheless, the House passed the bill, 261 to 125. Chairman Natcher voted against the bill but did not address his colleagues on the subject. Chairman Ronald V. Dellums (D-Ca.) of the House District Committee said, "I feel the president will be embarrassed tomorrow morning" when he sees the lopsided vote.

Before the vote, the *Post* pointed out that the renewed energy crisis could not have come at a better time for Metro:

In the last few months, a sophisticated lobbying campaign has transferred what some have criticized as a pork barrel project for the Washington area into something hailed as significant energy legislation that could serve as a model for the nation. [Baker, Donald P., "Congress to Vote on Biggest Metro Bill Since 1971," *The Washington Post*, July 16, 1979]

A *Post* editorial called the margin of victory "stunning." It "gave Metro a boost it desperately needed," speculating that the margin of victory reflected "common sense and a feeling of responsibility toward a mass-transit system it has nurtured from the beginning." As for the White House, the editorial concluded:

The opposition of the Carter administration to this arrangement, which came to light only yesterday morning, must have come from the anti-Washington strain in President Carter's Sunday night speech, not his pro-mass-transit strain. Otherwise, it is inconceivable that the administration could have opposed this bill. ["A Stunning Win for Metro," *The Washington Post*, July 17, 1979]

On August 22, the Carter Administration clarified the \$10 billion program the President had called for in his "Crisis of Confidence" speech on July 15. Vice President Mondale announced details of the plan during a speech in a historic train depot in Hoboken, New Jersey. The President's mass transit proposal had increased to \$13 billion based on congressional approval of a requested windfall profits tax for crude oil. Without the added revenue, the Vice President said, "there will be no dough," adding, "Without the windfall profits tax, all this is just rhetoric." *Better Roads* summarized the proposal outlined by the Vice President:

The administration initiative proposes to add \$13 billion over a 10-year period to UMTA's normal projected appropriations of \$27.5 billion and a projected \$9.5 billion of state/local match to provide a \$50 [b]illion 10-year capital funding program for transportation The intended goal is to increase public transportation capacity by up to 50% and accommodate up to 15 million more passengers per day by increasing local bus purchases, stepping up the pace of rail modernization, and expediting completion of new rail starts which already have been approved. [Nickel, William J., "Transportation Energy Program Needs \$16.5 Billion 'Initiative,'" *Better Roads*, October 1979, page 14]

Speaking to the American Public Transit Association on September 25, President Carter called for a "quantum jump" in public transit investment to \$50 billion and said, "We will reclaim and revitalize America's transit systems." However, as *The New York Times* put it, the proposal "has less to it than meets the eye and is predicated on several conditions, one of which seems questionable at the moment":

[The] only new Federal money in the plan is the \$13 billion a year that Vice President Mondale mentioned last month in Hoboken, and even that amount is dependent on passage of the “windfall” profit tax on crude oil. It has become increasingly doubtful in recent days that Congress will approve a tax that would raise as much revenue as the Carter Administration wants.

The bulk of the transit plan would be old money, such as the \$27.5 billion, with an anticipated 5 to 7 percent yearly increase, that the government was going to spend anyway. And an estimated \$10 billion would not be Federal money at all, but would come from state and local governments.” [Holsendolph, Ernest, “Mass Transit: Carter’s Plan,” *The New York Times*, September 27, 1979]

The Carter Administration announced on September 26 that it would now support the Harris-Stark bill. The reversal was important because supporters feared that White House opposition might sway votes in the Senate. The energy crisis and the lopsided vote in the House were reportedly factors in the White House decision to support the measure. [Baker, Donald P., “Carter Drops Opposition to Metro Funding Bill,” *The Washington Post*, September 27, 1979; Shelton, Isabelle, “Policy Shift on Metro is Hailed,” *The Washington Star*, September 27, 1979]

Assistant Secretary Downey confirmed the reversal in his testimony on September 28 to the Subcommittee on Governmental Efficiency and the District of Columbia, United States Senate. After discussing the President’s recent announcement and former Secretary Adams’s release of Interstate withdrawal funds, Downey said, “The administration supports the authorization of additional funds for Metrorail in the form of a separate authorization.” He had a caution that qualified the support:

[We] wish to make it clear that appropriations under this authorization must be considered within the context of our Nation’s total transportation needs. By this I mean that the administration will integrate WMATA’s needs for capital funding with the total transportation needs of the other areas of the country and the total resources available to meet those needs

[We] recommend that the authorization be in a lump sum of \$1.7 billion as opposed to an annual schedule. The lump-sum authorization will provide the flexibility for annual appropriations actions at levels consistent with actual construction needs, the needs of other areas of the country, and the total resources available to meet those needs.

[National Capital Transportation Amendments Act of 1979, Hearings before the Subcommittee on Governmental Efficiency and the District of Columbia, Committee on Governmental Affairs, United States Senate, 96th Congress, 1st Session, page 55; the entire testimony, including questions, is on pages 54-65]

Downey also advised that the White House opposed operating subsidies.

Congress completed work on the bill on December 20, 1979, with the Senate voting 66 to 23 after eliminating funding for operating subsidies that the Carter Administration opposed. The House then approved the revised bill, 190 to 144, again with Chairman Natcher voting nay.

During House debate, Representative Delbert L. Latta (R-Oh.) reserved the right to object to the bill, commenting:

Mr. Speaker . . . I can remember some time back that the gentleman from Kentucky [Mr. Natcher] made the statement that the Metro was going to cost the taxpayers something like \$6 billion, and there were a lot of people in this House at that time who said, "Oh, no, it couldn't happen." I would like to ask . . . how close is the gentleman's estimate of a \$6 billion taxpayer contribution for the Metro System?

Representative Harris avoided saying a specific number, observing that the only figure that mattered was the amount in the bill, \$1.7 billion. He added that the financial reanalysis of Metro construction cost conducted in 1978 "was as close and as tight a figure I think as the human mind can come up with. I think it is right on the button myself and I think we can come in under it."

Representative Latta persisted, pointing out that he had seen figures of \$6 billion and \$7 billion. He added, "Whatever it is, it is too high and I am glad I did not support it."

Finally, Representative Harris said:

Let me say if, in fact, all past and previous contributions to the Metro System are added together you will come to a total system cost of approximately \$7.2 billion.

Having secured an answer, Representative Latta withdrew his reservation of objection and the House soon approved the bill. [National Capital Transportation Amendments of 1979, *Congressional Record-House*, December 20, 1979, pages 37298-37299; Schrag, pages 193-194]

President Carter signed the National Capital Transportation Amendments of 1979 on January 3, 1980 (P.L. 96-184), in the Cabinet Room of the White House. As the ceremony began, President Carter noted that Mayor Marion Barry, as usual, was late, delaying the start of the ceremony by 15 minutes. The President asked, "Mr. Barry, you didn't come on the Metro, did you? [Laughter]." Representative Spellman told him the Maryland representatives had used Metro.

Representative Harris handed the President a Metro farecard and suggested he use it when he delivers the State of the Union Address. The President thanked him but said he would give the card to Mayor Barry "so he'll be here on . . . [laughter]."

President Carter began:

This is a very good day, I believe, in the lives of the people who live in this entire Washington, D.C., region and also of those who work in the Federal Government, and I'm doubly grateful, as President, to be able to participate in this ceremony.

The bill, he said, "will complete the financial commitment of the Federal Government to the completion of the Metrorail system."

He talked about Metro's origins:

The prospect of urban decay, the adverse impact on the quality of the air that we breathe, the excessive compacting of traffic during rush hours on our highways, the need to conserve energy, all were factors many years ago in the making of a final decision about

the construction of this rapid transit rail system. This is a good result of close cooperation between government at various levels and the private sector of the American economy.

The system was, he pointed out, carrying 300,000 passengers. Metro was now open on weekends, likely leading to increased numbers. “These are 300,000 people who would ordinarily have been using their automobiles, with a very heavy drain on the energy reserves of our country and with an adverse impact on the quality of our life.”

With the signing of the bill, State and local officials would be responsible for providing the additional funds to complete, operate, and maintain the Metrorail system. The Federal Government would continue efforts, such as encouraging carpooling and increased parking fees, that would support use of Metrorail:

My belief is, my conviction is that in the future every changing factor will make more valuable the Metrorail system that is in the process of being built. It would have been tragic to interrupt the completion of this system because of inadequate financing or inadequate commitment from the Federal, State, or local government agencies or governments. This is an important step forward.

While using multiple pens for the signing, President Carter handed the first pen to Representative Harris.

President Carter then asked several officials if they wanted to comment.

REPRESENTATIVE SPELLMAN: I frankly think that Herb should [group agreement].

THE PRESIDENT: Everybody—there seems to be an acclamation.

REPRESENTATIVE HARRIS: I did give you the fare card, Mr. President.

THE PRESIDENT: It’s the first bribe I’ve had this year. [Laughter] Thank you, Herb. Will you say a word?

Representative Harris said:

I speak for so many people that have worked for so many years to accomplish this. And so many of them know who they are – this obviously goes back for 20 years of effort, of community effort – those that broke the bottleneck in ’71 and those that helped us move it along this year to share the completion of a system that can mean so much in transportation and in environment, but also in community, Mr. President.

And I think Metro has brought us together, sometimes to get along and sometimes to fuss, but it’s brought us together. And it has meant a great deal, I think, to all of us, to community, and means a great deal to the future.

I want to just make a special word. We wanted this bill passed this year. I do not think this bill would have been passed this year if it had not been for the work and the effort of this administration and this President. They did it; they did it in a very real way

I’d like for all of us that have just a special thing with regard to Metro, with what it will bring to our community, to say in unison. “Thank you, Mr. President.”

THE GROUP: Thank you, Mr. President.

Senator Mathias pointed out that this was a tough time to allocate \$1.7 billion for a project affecting only one urban area. “But we felt that it did affect more than one city, one community, that this is a symbol of what this Nation is doing to improve life in urban America, to meet the crisis in energy, and that we have wrapped up in the act, which you have completed today, a piece of legislation which is important to all Americans everywhere.

Senator Sarbanes was grateful for the bill and the President’s support, but thought “it ought not to stop here.” He thought comparable systems should be built in other metropolitan areas. “So we see this as not the end of something, but the beginning of bringing mass transit across the country.”

Representative Spellman said, “today is really a dream come true.” People “who go into the stations see just beautiful, beautiful stations representing Metro, but those of us who worked on it from its very inception see it in all of its components, every little thing that had to go into place.” The most remarkable thing, however, was the multi-jurisdictional support for Metro. “We were able to sublimate our own little special pet projects in order to work together, in order to make the whole system jell.” She added:

And to have a President come in at this point who understands all that went on before and understands the need for making this project whole at a time when there was talk of truncating the system is, I think, the culminating aspect of it all. It’s just a dream come true, and you’ve made that dream come true. We thank you.

President Carter replied, “Knowing everything that had gone on before, it was not one of the most delightful experiences.” The White House transcript added: “[Laughter]”

After several other Members of Congress provided similar comments, President Carter asked Mayor Barry to say a few words. Calling this “a great day for all of us,” Mayor Barry said, “the District is totally committed,” as reflected in the Interstate substitution funds the city had transferred to Metro. “And this is really an example of what we can do, working with the Federal sector, the private sector, the local governments to make this region a better place for all of us to live.” Referring to the farecard, Mayor Barry added, “And I occasionally ride Metro myself, so that fare card was not new to me.” [Feaver, Douglas B., “Carter Approves \$1.7 billion for Metro Completion,” *The Washington Post*, January 4, 1980; Crosby, Thomas, “Metro Aid Bill Signed by Carter,” *The Washington Star*, January 4, 1980]

In return for Federal funds, the bill required local jurisdictions to establish a “stable and reliable” revenue source to provide matching funds to complete construction. The eight WMATA jurisdictions, including the States of Maryland and Virginia and the District, had been unable to agree on a single source, such as a regional sales tax, leaving each jurisdiction to patch together its own payments to WMATA, as Professor Schrag explained:

In 1977 both Transportation Secretary Adams and General Manager Lutz endorsed either a regional sales or payroll tax, in large part to end the yearly uncertainty over whether each of the eight jurisdictions in WMATA would actually pony up. But the jurisdictions

could not agree on a uniform tax, in part because their financial structures were so distinct.

Under the mandate of the new bill, the jurisdictions could not agree on a single source, instead responding to the “demand for ‘stable and reliable’ revenues with a hodgepodge of measures, including gasoline and other excise taxes at various amounts depending on the jurisdiction.” [Schrag, page 194]

In later years, WMATA faced many funding challenges, as Presidents changed, Members of Congress came and went, and the economy and other factors affected the availability of the funds authorized by the National Capital Transportation Amendments of 1979. Nevertheless, Professor Schrag considered it “an important transition.” Instead of looking at Metrorail as a “deficit-creating monster,” as a member of the Arlington County Board called it, the bill reflected the fact that “federal and local leaders decided that the monster was worth nurturing.” Any questions about “the system’s basic legitimacy” had been answered. [Schrag, page 195]

In the e-mail cited earlier, Downey commented on the Stark-Harris bill:

On the issue of Metro and the Stark-Harris bill, there is some back-story. Carter, having lost some fights about the design and cost of the MARTA system, was generally negative on rail projects – as evident from the handwritten note he sent to Brock early in the Administration. Secretary Adams, who had served on the House DC Committee and was a Metro supporter, had to take on the President and his staff to get support for the full system. WMATA was a hard sell, and it was my job to make it happen. I finally closed the deal at the White House with a strategy to assure that our exposure was only for capital expenditures. This led to my testimony in which I said we would support the Stark-Harris construction funding if the locals had a source of “stable and reliable funding” to assure operation and maintenance over the long haul. We got that promise, but were later sold out by the Reagan Administration which actually entered into the first contract under Stark-Harris. Under pressure from the locals, DOT issued an opinion that the existing funding arrangements were “stable and reliable,” in that they required the compact parties to make up any budget deficits. Of course, since the WMATA Board was essentially the same local officials, there was really no protection against underfunding. What we had in mind was some form of dedicated tax that was controlled by WMATA, but that has eluded the transit system even up to today

By January 13, 2001, when regional and Federal officials gathered to open the final Green Line stations in the District and Prince George’s County, Maryland, they congratulated and thanked each other:

Perhaps the most striking aspect of the ceremonies was their focus on the completion of the five-station stretch of line. For WMATA had finished not only the Branch Avenue line, not only the Green Line, but the 103-mile regional system, a system not terribly different from the 98-mile system authorized more than thirty-one years earlier. Yet to dwell on the completion of the 103-mile system would be to suggest that Metro was finished, its form forever settled. That was not the case. [Schrag, page 273]

The focus had been on honoring existing commitments by completing the 103-mile rail network, but officials were already thinking of new lines, such as the Silver Line through heavily congested Tyson's Corner, Virginia, to Dulles International Airport. The Silver Line, the first to open since the Green Line, opened its first five stations on July 26, 2014.

Professor Schrag looked back on what Metro meant for the region:

Metro is a public thing. It is public transportation, public works, public policy, public investment, and, since its opening, public space. It is a monument to confidence in the public realm

As a symbol of urbanity, a preserver of neighborhoods, a work of beauty, a political unifier, a shaper of space, and a meeting ground for all Washingtonians, Metro makes Washington that much more the great city dreamed of by visionaries from . . . L'Enfant forward, and it makes America that much more the Great Society envisioned by Lyndon Johnson and the liberals of the 1960s. The visionaries have not and never will achieve perfection, but Metro shows that even in pragmatic matters of planning, idealism has a place. [Schrag, page 283]

The Georgetown Metro Station

Considering Georgetown's role in fighting Interstate freeways and bridges, it was a logical location for a Metro station. But that station does not exist. Instead, Georgetown is between the Foggy Bottom-GWU Station in the District of Columbia and the Rosslyn Station across the Potomac River in Virginia. The Metro line between the two stations crosses the river north of Roosevelt Island in a tunnel between the two stations, without crossing under Georgetown.

Professor Schrag discussed the situation:

Now, as in the 1970s, there is a legend about Metro among the people of Washington. Many believe that WMATA planned a station for Georgetown, then withdrew its plans in response to opposition from politically influential residents who feared that the subway would bring undesirables – the poor, the criminal, the nonwhite, and the tacky – to their exclusive neighborhood. In fact, although Georgetown residents did oppose a transit station, their attitude was essentially irrelevant, for a Georgetown station was never seriously considered.

From an engineering standpoint, a subway line under Georgetown “would have been difficult.” The proximity of the Potomac River to Georgetown's commercial center at the intersection of Wisconsin Avenue and M Street was the problem:

Any tunnel under the Potomac (such as the one that today connects Foggy Bottom and Rosslyn) would have been so deep at the river's edge as to render a station there impractical.

NCTA planner John Insko Williams sketched a Georgetown station in 1963 that depended on a highway-transit bridge across the river. In an interview with Professor Schrag, Williams explained why the idea never went beyond his sketch:

According to Williams, highway planners, not Georgetown residents, vetoed this option. Moreover, Williams's map shows that the curve up to Georgetown could not have followed the street grid, but would have to be bored under private property. And "if you get under buildings," planner Thomas Deen recalled, "you get into all kinds of problems, digging under foundations, and settlement, and liability, and lawsuits."

Of course, engineering challenges could be overcome, but for WMATA, a Georgetown station was not a priority. Metro was designed with commuters in mind, "which meant connecting suburban parking lots, bus nodes, and clusters of apartment buildings with dense collections of office buildings in downtown Washington and Arlington":

Georgetown lacked apartments or office buildings or parking, and much of the area within walking distance of Wisconsin and M is under water. "We were building the system for the commuters," planner William Herman recalled, "and there were not many people commuting to Georgetown. So why spend money on something that didn't meet our goals?"

In comparison with the freeways that Georgetown residents opposed, Metro's early maps "seemed to be an entirely benign alternative Few would object to a thin line and small dot on a map, one that promised easy access to the rest of the metropolitan area." Even so, Professor Schrag found "a kernel of truth" to the rumors about why Georgetown did not end up with a Metro station:

Still, there were whispers of conflict even at that point. As planning progressed, and condemnation notes caught the attention of previously placid neighborhoods, complaints spread. A 1971 study reported that "everyone [wants] feeder buses to be nearby, but to stop in front of somebody else's house." The same could be said of rapid transit; everyone wanted a station close, but not too close.

Residents feared the disruption of construction. These concerns did not reflect class or racial divisions, "for the protests were common to black neighborhoods and white, to poor neighborhoods as well as to rich ones":

A rapid transit system that had promised to spare neighborhoods by obviating freeways now found itself fighting many of the same people who had protested those roads.

For example, Professor Schrag cited Representative Giaimo, who had led the fight against Chairman Natcher in 1971 – the pivotal moment for Metro. For his Washington home near the Capitol, "WMATA rewarded him with an eight-foot ditch two feet from the front of his house, but he took it in stride."

Another fear was the access that Metro stations would provide for lower-income people who might have crime on their minds, "and in suburban Washington that means blacks":

Idamae Garrott, a Montgomery County representative, told a reporter, "A lot of people here are scared to go into the District. Now they think that rapers and muggers will be able to get on the subway for very little money, rape and mug me, and get on the subway

and go back. I can't guarantee it won't happen, although it's puzzled me why more criminals don't come out here now in cars." [Schrag, pages 155-156]

In 1977, *Post* columnist Bob Levey went to Georgetown to see how residents felt about never getting a Metro station:

So the land of begonias and bistros and brick becomes Metro's first orphan community. If that seems puzzling, it seems more puzzling that Georgetown's orphanhood was brought about by Georgetown residents. It would be hard to fault their motives.

They did not want years of construction, the noise or dust it would bring, the "space-age entryway built beside an 18th century town house," or "the exploding shopping centers and apartment houses that Metro will surely bring elsewhere."

During his visit, he found that "tears are hard to find among the great old oaks" of Georgetown in the absence of a Metro station:

The Georgetown community leaders who took part in the 1962 decision to bend aside the Metro line crossings from Rosslyn to Foggy Bottom do not regret their decision.

A position paper at the time by the Citizens Association of Georgetown said, "A line through Georgetown would lead to nowhere but deficits." Eva Hinton, the association's long-time vice president, recalled those words for Levey. "What it means," she told him, "is leave us the hell alone":

The chief concern in 1962, Mrs. Hinton recalled, was the extra-hard rock on which Georgetown sits. To burrow a subway into it would have required extensive blasting. The foundations of many gingerbread Georgetown homes might not have survived.

Mrs. Hinton and her association also wanted to avoid packing Georgetown's commercial strips more than they are packed now. "If you think we need another single soul here at lunch hour or on Saturday, you are mistaken."

In addition, many residents considered Metro to be a redundant commuting tool. For those who work downtown or on Capitol Hill, "Georgetown is honeycombed with bus routes that go crosstown, and has been for years. They are popular, and they wouldn't be popular if they weren't at least somewhat efficient."

Like Professor Schrag, Levey found that community concerns aside, WMATA had only briefly considered a Georgetown station:

It wasn't just Georgetowners who couldn't see the wisdom of Metro in the early sixties. According to Charles H. Conrad, executive director of the National Capital Planning Commission, only one staff study ever included a Georgetown stop, and it bit the dust early.

“A subway would have wrecked Georgetown,” said Conrad. “It was not so much a transit decision as a historic and land use decision.”

Veteran Metro staffers report that a Georgetown stop was rejected by them equally early. Not only were the buildings frail, but tunneling would have been staggeringly expensive, and the River Road corridor would not have fed as many suburban customers into a key Northwest Washington line as the Rockville Pike corridor that was chosen.

The congressionally designated historic status of Georgetown was another factor. “There was also considerable doubt about whether a subway would have been legal” because it would not blend architecturally with those already there.”

It was good, Levey thought, that WMATA listened to community concerns in Georgetown and other locations:

Actually, a tip of the cap is due Metro for paying such careful attention to community will. It would be offensive to have a subway – and subway construction – shoved down the throat of a community. At least, for a change, the boys with the money and the power listened.

But what has Georgetown done to itself? Have business and citizen groups perhaps been penny wise and pound foolish?

The long and the short of it is that no Metro in Georgetown will mean more cars in Georgetown. That may, in turn, cause economic and environmental damage. And nobody at either Metro Center or Wisconsin and M ever intended that. [Levey, Bob, “Metro’s Not Coming to Georgetown – and Nobody’s Crying,” Bob Levey’s Potomac Journal, *The Washington Post*, June 30, 1977]

Completing I-66

When the last 10-mile segment of I-66 opened on December 22, 1982, the *Post* interviewed Emilia Govan. She recalled 1970 when she and her neighbors learned about plans to build I-66 over the nearby intersection of Glebe Road and Washington Boulevard:

“You couldn’t even see [the intersection] from our driveway,” said Emilia Govan recently “And it would not have done anything to our home. But we felt it would have an impact on our neighborhood and the community.”

They and their neighbors found themselves “running a bureaucratic obstacle course,” as the *Post*’s Nancy Scannell put it. Scannell explained that Arlington was “a largely affluent and sophisticated community filled with middle- and upper-level employes [sic] of the federal government.” Their “sophistication and inside-the-bureaucracy experience” gave ACT a “decided advantage” in fighting the highway.

Nevertheless, I-66 became a reality. Govan, “who abandoned work on her doctoral dissertation to fight the highway and is today a lawyer,” saw some benefits from the battle. Govan said:

It enhanced Arlington's sense of community. It brought together many, many talented, concerned citizens and, through their efforts, showed them and government officials that it is possible to have meaningful citizen involvement in decisions which in the past were made behind closed doors.

The fact that I-66 was completed did not mean the Govans, ACT, and other opponents had not had a major impact. Without their efforts, "we would have had a highway twice as big, much uglier and much more intrusive in the community." Saving Spout Run Park was a "significant accomplishment," as was "changing the governmental decision-making process":

Govan said she still views the road as a "concrete gash through a residential community It was never built for Arlington, but to get people through Arlington."

But "we pointed out some of the problems years ago," she said, "and now we'll just have to wait and see what happens." [Scannel, Nancy, "Finding Victories in Defeat," *The Washington Post*, December 22, 1982]

Leland White, in his history of the fight against I-66, wondered if ACT would have been more successful in blocking I-66 construction if they had adopted the non-violent tactics of the Civil Rights Movement or the aggressive actions of the anti-war groups of the 1960s or ECTC and the District freeway fighters. He cited an article from the March 1972 issue of *Smithsonian* magazine about freeway battles:

According to journalist Rice Odell, they "reasoned that since all segments of the area's highway network were to be connected, construction of any one segment would increase pressure to build the others . . . it led to a situation in which residents of white affluent Georgetown worked against the North Central freeway and blacks from the other side of the city [were] in the forefront against the Three Sisters Bridge." Their motto, "White Men's Roads Through Black Men's Homes," was a visceral and effective rallying cry.

Sammie Abbott thought so, as White reported:

Washington anti-highway activist Sammie Abbott thought that ACT did not go far enough. Shortly after the battle over I-66 was lost, Abbott told a Post reporter that "Virginia people didn't put up the type of fight we did in the city. It's that suburban mentality, that sense of decorum. Once you are committed to a sense of decorum, you're screwed." Emilia Govan said that ACT considered but rejected more militant tactics. At the time they believed that such an approach would likely have backfired in Virginia. She contended that civil disobedience ultimately might have alienated the white, middle-class professionals that formed the backbone of their effort and would have scared off a number of their political allies. [White pages 66-67; Odell, Rice, "To Stop Highways Some Citizens Take to the Streets," *Smithsonian Magazine*, March 1972, page 27; Feaver, Douglas B., "No New Freeways for District," *The Washington Post*, October 30, 1978]

According to Keith A. Argow, VDHT's environmental consultant, the project had changed from an eight-lane superhighway to "an elongated park" that he hoped would be "a prototype for a lot of highways in the future." Although it was too late to change the project, opponents became more aggressive:

Despite the major changes made in the I-66 plan to accommodate opponents, when construction of the last stretch began, crews encountered an "enormous amount" of local resistance, according to one contractor. Residents sprayed anti-I-66 graffiti on equipment and trailers. In some cases, they poured sand into machines' fuel tanks. As a result, several contractors hired security guards, and at least one says he has filed a claim with the Virginia Department of Highways and Transportation (VDH&T) for the cost.

Children climbed into trees to prevent workers from cutting them down to clear the right-of-way. Such incidents and vandalism are to be expected in this day and age, according to one contractor, who spoke of "a normal kind of vandalism." ["Community-Group Clout Influences Design," *Engineering News-Record*, December 10, 1981, page 33]

White argued that the battle should not be judged by the fact that I-66 was built, although in a scaled-down version. Emilia Govan told him in 1997, "We were not just fighting the highway. For us, increasing public participation in the process was just as important." She and her husband Jim also were fighting the monolithic State highway machine. Jim Govan told White, "VDH had no culture on how to deal with the public."

The Govans, White found, "felt somewhat vindicated when the road failed to alleviate the area's crushing traffic." He added that, "More important, though, was their belief that they had helped to raise environmental consciousness and increase the level of citizen participation in the city they continued to call home." [White, page 67]

The Barney Circle Connector

The Sammie Abbott quote about ACT's tactics was from a three-part 1978 series by the *Post's* Douglas B. Feaver on the difficulties of completing the Interstate System around the country. In the second part, about the District freeway revolt, Feaver wrote:

By the time District of Columbia and Maryland highway officials are through with their erasers, they will have wiped out a larger percentage of urban freeways than any other metropolitan area in the United States. Only 10.7 miles of a planned 36.4 actually will be built.

Only in Virginia are most of the once-planned interstate freeway miles completed or under construction and even in that state there has been some regression from the once-extensive dreams of the roadbuilders.

In referring to 36.4 miles, Feaver was double-counting alternatives such as those for the North Leg – the K Street tunnel and the Florida Avenue alignment. An accompanying map included the New York Avenue industrial highway, which was never a designated part of the Interstate

System. Based on tables in the ICE over the years, the official total of Interstate mileage in the District of Columbia reached 30 miles (1970-1975) but by the final ICE in 1991 had declined to 14 miles. Today, the official total is 12.27 miles.

Based on his calculation, Feaver called the District statistics “mind-boggling”:

By not building 17.2 miles of Interstate freeways, D.C. has:

- Saved from destruction between 1,000 and 1,200 homes and apartments.
- Saved from displacement about 3,000 jobs that might well have left the city.
- Made available for Metro construction more than \$1 billion that would otherwise have been spent on highways.

He quoted Abbott.

“There will be no more freeways,” said Sammie Abbott. “It’s over. It’s over because from the very beginning we refused to concede defeat.”

Feaver gave Abbott considerable credit for blocking the North-Central and Northeast Freeways and the Three Sisters Bridge:

It was Sammie Abbott who coined the campaign slogan, “White men’s roads through black men’s bedrooms,” and his slogan was absolutely accurate. For while the final routing of the North-Central Freeway was through Northeast Washington along the B&O Railroad tracks, it had been moved there from the original route through Glover-Archbold Park and out Wisconsin Avenue, where influential white people live.

It was Sammie Abbott who led his coalition in 1970 to stand in front of the bulldozers at the construction site of the Three Sisters Bridge – the planned Potomac crossing above Key Bridge. After several days of media events, some shoving, hollering and a few arrests, the construction project was shut down by court order. It never started again.

Feaver pointed out that Abbott’s tactics were not appreciated by highway officials:

Abbott’s tactics were disliked, if not respected, by Frank Turner, then the administrator of the Federal Highway Administration. At the height of the freeway wars, Turner recalled recently:

“Abbott and Reginald Booker (another activist) came in and laid down the law to (Secretary) Volpe. They were rude. They chewed him out. They talked about how blood would flow, maybe even in the Department of Transportation building, if the highway was built. Some of the groups with Sammie even tried to shut him up”

“Criticism and emotion have swung the pendulum to the extreme,” Turner said.

“Sometimes the District of Columbia is going to have to have that north-central, northeast freeway, and the money isn’t going to be there.”

Such criticism did not concern Abbott, who told Feaver that fighting highways was “basically social warfare. There’s no definitive victory or defeat. Momentum picks up”

Feaver summarized:

Whatever the causes, the highway building program in the District of Columbia was slowed and finally stopped, despite directions from Congress that it be continued and despite the fact that appropriations to build Metro were held hostage by Congress to force highway construction.

The last project to survive Sammie Abbott’s attack is nearing completion in the center of the city. It is a quarter-mile of what once was to be Interstate 95 through the heart of Washington. It is known, inelegantly, as the Center Leg of the Inner Loop and will complete the existing 3rd Street tunnel west of the Capitol between the Southwest Freeway and New York Avenue NW.

The quarter-mile construction project would cost \$35 million, and the “entire Center Leg, all 1.4 miles of it, will cost \$164 million.” In all, “340 homes and apartments were razed to make way for the Center Leg and 150 businesses were displaced and relocated.” [Feaver, Douglas B., “No New Freeways Slated for District,” *The Washington Post*, October 30, 1978]

Abbott was wrong about one thing. The city was not completely done with freeways.

As mentioned earlier, Mayor Washington’s letter of August 7, 1978, to Secretary Adams seeking withdrawal of the North Leg and East Leg segments of the Inner Loop (from East Capitol Street to the junction of I-395), had mentioned that the city was considering how “to provide a permanent terminus of I-295.” The official definition of I-295 was:

From the District of Columbia-Maryland line in the vicinity of Oxon Creek northerly via an intersection with FAI Route 695 to a junction with FAI 395.

He speculated that a connection between I-295 and Kenilworth Avenue Freeway (District 295, the non-Interstate portion of the I-295 Anacostia Freeway) “would close a gap in our existing expressway network and provide for a logical terminus of I-295.”

This speculation was an early reference to what became the proposed Barney Circle Freeway.

Barney Circle was located at the intersection of Pennsylvania and Kentucky Avenues and 17th Street in the southeast quadrant of Washington in a residential area on the west bank of the Anacostia River. The neighborhood had grown as a result of a trolley-line extension along Pennsylvania Avenue, SE., in 1901 to a terminus and turnaround point. The *Post* explained:

By the 1930s, Barney Circle was populated by employees of the nearby Navy Yard and a smattering of white-collar workers. The rowhouses built to serve them were correspondingly modest; most have two stories, two or three bedrooms and a couple of bathrooms, small yards, and low porches

When Eleanor Hill and her husband, Theodore, moved to Barney Circle in the late 1950s, the neighborhood was largely white and working-class. “We were the first African Americans on our block,” said Hill, now in her late 70s.

That changed after the 1968 riots. Barney Circle turned over completely and became almost 100 percent African American. But it remained a cohesive community. “We looked out for one another,” remembered Hill. [Abrams, Amanda, “A Historic Battlefield, of Sorts,” *The Washington Post*, March 3, 2012]

(The circle was named after Commodore Joshua Barney, who commanded the Chesapeake Bay flotilla in the War of 1812.)

When Administrators Bowers and Page approved the withdrawals on September 8, 1978, they commented:

We note that you propose to investigate several options to provide a permanent terminus of I-295 and to finalize a suitable I-395 terminus at New York Avenue. We urge the early implementation of the necessary studies in order to provide logical termini for the remaining portions of these spurs.

Although FHWA records identified the I-295 terminus as East Capitol Street, the goal was to cross the Anacostia River parallel to the Pennsylvania Avenue railroad bridge to connect with the Kenilworth Avenue Freeway (the link between the I-295 Anacostia Freeway and the Baltimore-Washington Parkway) and end the route at the East Capitol Street Bridge. The crossing would have solved a longstanding problem that was known even before the Anacostia Freeway opened in August 1964, as the *Star* pointed out at the time:

The new Anacostia freeway, which is to be opened to traffic Friday [August 7], is going to have several built-in booby traps for commuters. . . . [Any] motorists from Prince Georges County will find that several commuting routes they have grown accustomed to will vanish.

If they are used to coming down the [Kenilworth] 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.

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.

Joseph Rice, a division chief with the District’s Traffic Engineering and Operations Bureau, said a strategic guard rail would be restored to the median strip of the freeway near Pennsylvania avenue this week. This will knock out a detour that has permitted motorists to get off the freeway there and go west to downtown. [“New Anacostia Route Closes Popular Cutoffs,” *The Sunday Star*, August 2, 1964]

NPS had been unwilling to yield property in Anacostia Park for the ramps needed to provide the direct connections into and out of the city.

In the absence of a direct connection, most motorists took the ramp onto eastbound Pennsylvania Avenue, rode away from their destination until they could make an illegal U-turn, then headed west into the city. Similarly, outbound traffic could not reach the northbound route without a detour onto local streets.

As the District Department of Public Works planned hearings on the Barney Circle link in May 1988, the *Post* described the plan adopted in the final environmental impact statement in September 1983 and approved by FHWA in the Record of Decision on April 4, 1984, concluding the NEPA administrative review:

As proposed, the freeway extension would begin at Barney Circle SE, run along the west bank of the Anacostia River in Anacostia Park, and cross the river on a new four-lane bridge alongside a Conrail span, between the East Capitol Street (Whitney Young) and Pennsylvania Avenue (Sousa) bridges. The road would then lead through the eastern portion of Anacostia Park and feed into the Anacostia Freeway.

In addition, a two-lane parkway would be built from Barney Circle on the western side of the East Capitol Street Bridge.

The purpose is to end the flow of commuter traffic through residential neighborhoods in far Southeast and Capitol Hill, where motorists often clog side streets

In exchange for ceding land for the freeway, the National Park Service would receive

\$15 million worth of improvements for Anacostia Park. New playing fields, restrooms, tennis courts, a canoe launch, and a fishing pier would be built, and the waterfronts on both sides of the river would be widened by moving access roads inward.

The new bridge would provide access to a large part of the park that currently is unreachable because it is bound by railroad tracks, the river, and the Anacostia Freeway

Bicycle and pedestrian trails would be built on the East Capitol Street and Pennsylvania Avenue bridges, as well as the proposed bridge. On both ends of those bridges, spiral ramps would be added to allow bicycles and pedestrians to reach the parkland below

If the roadway plan is adopted, the city also would move the Southeast Freeway's Third Street SE entry ramp to Seventh Street SE, and make road improvements to Kenilworth Avenue NE

The plan, which was adopted in 1983, has required extensive city negotiations with the federal Departments of Transportation and the Interior. It would cost \$130 million to \$150 million, require no demolition of buildings and at this point include no limits on

truck use of the proposed road and bridge. [Simpson, Anne, "Hearings Planned SE Freeway Link," *The Washington Post*, May 5, 1988]

A group called Stop It Again formed to oppose the plan. Co-chairs Christopher C. Herman of the Congressional Cemetery Association and Janet Wintermute had written a column opposing the plan the previous December. The plan was "bad news for almost everyone." It would carry almost 20,000 vehicles per lane daily, meaning "it would instantly become the District's most congested freeway."

They wrote, "The inescapable fact is that there's no more room during either rush hour." The city, instead of trying to divert motorists from local streets onto a new freeway "might well 'divert' [them] to the Green Line if the District could find money to finish it." They concluded, "There are better ways to help commuters and communities deal with their problems than by repackaging the failed panaceas of the past." [Herman, Christopher C., and Wintermute, Janet, "You Thought the 'East Leg' Was Dead? Welcome to Barney Circle," *The Washington Post*, December 20, 1987]

In May 1990, the *Post*'s popular Dr. Gridlock column by Ron Shaffer, a reporter who had covered the later stages of the freeway battles, included a question from a Washington resident about the missing link:

Is there EVER going to be a connecting road between Interstate 295 and Interstate 395 (Southeast-Southwest Freeway) in the District? I would be willing to become politically active for the first time in my life if you would direct me to the proper action group.

Dr. Gridlock's reply began:

No need to join an action group, apparently. After many years of study, the District is planning to begin construction next year of the so-called Barney Circle Freeway, an interstate segment that will connect these two roads via a new bridge to be built north of the Sousa Bridge. The project is scheduled to take three years and cost \$180 million. Afterward, it will no longer be necessary to make gymnastic loops and use side streets to go north from I-395 to I-295, or south from I-295 to I-395. ["Shaffer, Ron, "Interstate Connector," Dr. Gridlock, *The Washington Post*, May 11, 1990]

In 1990, FHWA approved the plan for inclusion of the Barney Circle Freeway in the 1991 ICE, the final one prepared. Inclusion meant that the Barney Circle Freeway was eligible for Interstate construction funds on a cost-to-complete basis at the usual 90-10 Federal-District matching ratio.

By then, the eastern terminus had changed because of concerns that ending the freeway extension at Kenilworth Avenue would provide neither a safe flow of traffic nor adequate capacity. On June 1, 1990, FHWA's Division Administrator in the District, Arthur J. Hill, described the needed design changes:

Three lanes of through traffic are necessary for southbound Kenilworth from East Capitol Street to the Barney Circle – Anacostia Freeway. The traffic entering northbound Kenilworth at East Capitol St. and Benning Rd. should also be provided with a collector

road on the left side and brought on to the freeway as a free flow lane. In addition, northbound traffic from the Anacostia Freeway and Barney Circle must have three lanes of capacity from the Barney Circle branch to the exit at Nannie Helen Burrough[s] in order to provide for a free flow entrance. However, this particular design change will entail the relocation of an existing railroad bridge north of the Benning Road.

We believe that the above mentioned design changes will provide for a safer transition as the Interstate facility diverges and merges with the urban arterial. Therefore, we are requesting that the Interstate construction limits for southbound Kenilworth be moved from the north abutment of the railroad bridge to north of the East Capitol Street exit. Northbound, the Interstate construction limits should be established just south of the Nannie Helen Burrough[s] exit.

Hill estimated that these design changes would add \$15-\$20 million to the cost of the Barney Circle Freeway. The 1991 ICE reflected his recommendations.

In June 1992, the Department of Public Works was nearing construction of the freeway, as the *Post* reported:

Red surveyors ribbons now blaze a trail along the Anacostia River, and the blunt stub of a new highway ramp alerts passersby that the long-awaited and disputed Barney Circle Freeway is moving toward reality.

The department hoped to begin construction in 1992, “even as a spokeswoman for

Mayor Sharon Pratt Kelly said she has staffers looking into concerns about the plan.”

Planners believed that providing the “missing link” in the traffic network was important to end the maneuvering through nearby neighborhoods:

But many residents have fought the freeway line for years. And as city officials prepare to put the project out to bid and environmental issues take the forefront worldwide, opponents of the freeway have turned up the volume and found some sympathetic ears.

The Barney Circle Freeway is a nightmare they say: an interstate that not only will cut through the heart of the city, but also pave over prized national parkland along a fragile riverbed.

Brent Blackwelder of Friends of the Earth said, “This is something that should never happen, an environmental horror story.” It was, he said, “a vestige of the old mentality: jam freeways in wherever you can”:

Opponents said they thought the Barney Circle issue had been settled in the 1960s when an interracial coalition stopped most of the “Inner Beltway” that was planned for the city, including an east leg that would have sliced from Takoma Park along some of the same Anacostia route, said Chris Herman, of the Citizens Committee to Stop It Again, which is

spearheading the latest Barney fight. “Now we’re condemned to repeat history,” Herman said.

Charles Gorley of the D.C. Sierra Club recalled the earlier freeway battles, including those involving the East Leg Freeway:

He said opponents of the Barney Circle Freeway today are mostly from Anacostia and the less-affluent eastern fringe of Capitol Hill, and they seem to have less voice and clout.

Gorley said that unlike other roads in the failed freeway plan, which would have taken houses and businesses, “all this does is swallow up parkland. Parks don’t vote. Squirrels don’t vote.”

City officials “bristle at the criticism.” Project manager Tom Burke “denied that the department is ‘freeway mad.’” He pointed out that former Mayor Barry had helped defeat the Inner Loop but had supported the Barney Circle Freeway. The Public Works Department planned information meetings during the summer to counter what Burke called “untruths”:

In the meantime, he said, construction bids will be sought in three to six months. And officials are so sure of getting the freeway link built that they ordered that one ramp leading to the Barney Circle Freeway be started during renovation work on an I-295 overpass.

“In any project, once approved, you only hear from the opponents. But it’ll take a lawsuit to stop it now,” Burke said.

Several members of the city council had expressed concerns about the freeway. One of them was Councilman Harold Brazil:

But Brazil said that though he would like a reassessment, “there is nothing I can do about it This is a train that has already left the station.”

The council must “pick its fights,” a council aide said, and it’s unlikely to throw down the gauntlet over “a project that has received so little publicity.”

Herman was not about to give up. “We will win,” he said. As for the city’s plan to advertise for bids, he said, “Like the process of getting hanged, it concentrates the mind.” [Weiner, Elizabeth, “Freeway Moves Along,” *The Washington Post*, June 4, 1992]

At the time, Jack Kent Cooke, owner of Washington’s National Football League team, was planning a new stadium on the site of Robert F. Kennedy Memorial Stadium, the team’s home field. The Barney Circle Freeway would improve access to the stadium site. City Council Chairman John A. Wilson claimed the freeway was part of the deal Cooke had negotiated with the city before committing to pay for the 78,600-seat stadium. However, Corporation Counsel John Payton, one of the negotiators, said the freeway “was not involved in the memorandum of understanding we reached with Jack Kent Cooke; it is not mentioned in the document.”

Chairman Wilson had introduced a resolution in February 1993 granting necessary approvals for the freeway. “Without it,” he said, “we would not be where we are today and the stadium might not have been built” on the old stadium grounds.

He was convinced that Mayor Kelly would approve the freeway, but she had not announced a position. Public Works spokesman Richard Hebert said, “The mayor is going back to the community. She is not going to force this issue down the throats of the community.” [Harris, Hamil R., “Barney Circle Project Would Aid Cooke, Anger Residents,” District Weekly, *The Washington Post*, March 18, 1993]

(In the face of neighborhood opposition, criticism from environmental groups, and difficulty concluding a deal with the city, Cooke built his new stadium in Prince George’s County, Maryland. Jack Kent Cooke Stadium opened in 1997, named in honor of the owner who had passed away on April 6, 1997. The current owner of the team sold the naming rights in 1999, renaming it FedEx Field.)

On July 22, 1993, FHWA Executive Director E. Dean Carlson wrote to Director of Public Works Betty Hager Francis regarding the delay in advancing the project:

From September 1990 through September 1992, we approved plans, specifications, and estimates and authorized the taking of bids on three projects totaling \$104 million in Interstate Construction (IC) funds [i.e., not counting the District match]. However, none of the projects has been advertised for bids.

The contracts were for:

Section 2- New Anacostia River Bridge, contract authorized on September 12, 1992 (estimated Federal-District cost: \$38.5 million). This section extended from the west abutment, where it tied into section 1, to the east abutment across the Anacostia River where it tied into section 3.

Section 3 – Construction of the Freeway Bridge to Kenilworth Avenue, construction authorized on September 29, 1993 (estimated Federal-District cost: \$35.3 million). This section tied the new freeway bridge to I-295 at Kenilworth Avenue.

Section 4 – Parkway, construction authorized on September 17, 1990 (estimated Federal-District cost: \$28 million). This section tied section 1 to the East Capitol Street Bridge via a two-lane parkway section.

The obligation authority reserved for the District could have been provided to States with projects ready to go. As a result, Carlson said he would direct Division Administrator Hill to withdraw authorization for bids on the three projects and de-obligate the IC funds. He also would not obligate IC funds for the project at Barney Circle that had been scheduled for authorization before the end of this fiscal year:

Section 1 – West End Tunnel, contract authorized on September 26, 1991 (estimated Federal-District cost: \$43 million). This project extended from Barney Circle and the John Philip Sousa Bridge to the edge of Congressional Cemetery.

He added:

I want to stress that the District would not lose the funds if we take these actions. Instead, the de-obligated IC funds would be added to the District's unobligated balance of IC funds.

He pointed out, as he had during a recent meeting with Director Francis, that the Surface Transportation Assistance Act of 1978 prohibited the withdrawal and substitution of additional Interstate routes:

Although other Interstate segments have been withdrawn in the District under this provision, the option to withdraw and substitute under Section 103(e)(4) was limited to requests submitted prior to September 30, 1983 The withdrawal-substitution provision has not been extended to other Interstate segments except when special legislation initiated by a State has been enacted.

As I also indicated, if the I-295 projects at Barney Circle are not constructed, Federal funds previously expended for them are subject to repayment provisions of the State-Federal project agreements for the projects under which the Federal funds were expended.

In July, Mayor Kelly told 200 people attending a public forum that the project was "worthy of consideration," but she insisted it was not a *fait accompli*. Director Francis told the crowd:

"The good of this project far outweighs the bad. I'm tired of trying to get from Kenilworth Avenue to Pennsylvania Avenue and doing the Minnesota Avenue Dance," she said in describing the most popular commuter route from far Northeast Washington to downtown via Pennsylvania Avenue SE, which is to exit Minnesota Avenue.

Funding was an issue, with the city having invested \$25 million in developing the plans. A top city official said, "financially this thing has to keep going." If not, the city would have to return the Federal-aid funds already spent and lose access to the remaining funds because of the prohibition against new Interstate withdrawal-substitution actions. Mayor Kelly also pointed out that the "most compelling reason" for the project was the 8,000 jobs it would bring to the city at a time when the jobless rate was 10 percent. [Harris, Hamil R., "Kelly Favors Freeway," *The Washington Post*, July 29, 1993]

On August 12, Ms. Francis replied to Carlson. She acknowledged the need for a timely advertisement date:

As you know, Mayor Sharon Pratt Kelly wanted our citizens to have one more opportunity to express their support for or concerns with the project. We therefore held community meetings in late July, and are pleased with the expressions of support for the project that were articulated. We are now prepared to move forward with the construction phase of the projects.

She listed the city's advertisement schedule:

Section 2 on September 15, 1993;
Section 4 on October 18, 1993; and
Section 1 on October 18, 1993.

Section 3 would be advertised in early 1994.

Director Francis added that Mayor Kelly wanted to ensure that at least 51 percent of all jobs on the project would go to District of Columbia residents.

In reply on August 27, Carlson indicated that in view of the city's commitments, he would not direct Hill to de-obligate IC funds for the Barney Circle project. He added that "following through with these commitments is essential to ensure that the funds will not be jeopardized."

Carlson mentioned that Mayor Kelly had written to Secretary of Transportation Federico Peña on July 20 regarding the employment of District residents on the project. The letter was under review, but Carlson said the answer would be dictated by Federal law and regulations. He did not say so, since the Secretary had not signed a reply, but those requirements called for competitive bidding, with award to the lowest responsive bid. They did not allow restrictions for local hiring.

On September 15, Mayor Kelly announced her approval of the Barney Circle Freeway. She acknowledged the opponents, but pointed out that more than half of those who spoke at two special hearings in July supported the project. She also cited the construction jobs the project would bring to the city. The project would cost about \$200 million, with Federal-aid highway funds covering \$190 million of that total.

Mayor Kelly's decision allowed the project to move forward but did not end the debate, as the *Post* pointed out:

City officials said the freeway connection, under consideration for almost two decades, will draw motorists off clogged streets east of Capitol Hill.

Opponents, including civic and environmental groups, argue that it would simply funnel more traffic and pollution to the heart of the city while gobbling up parkland. The project calls for ramps to cut through Anacostia Park.

The Committee of 100, an influential group of lawyers, architects and planners that previously had backed the Barney Circle project, withdrew its support last week, citing traffic and environmental concerns. [Castaneda, Ruben, "Construction to begin in '94 on Anacostia-SR Freeway Link," *The Washington Post*, September 16, 1993]

The District met its schedule for advertising sections 2 and 4, but section 1 was delayed due to a hazardous waste issue that had not yet been resolved. Hazardous wastes had been found in the north parking lot for the planned Cooke Stadium as the city continued negotiations on how to split infrastructure costs for the new facility, including mitigation for the loss of 612 parking spaces.

On May 12, 1994, a coalition of civic activists and environmental groups went to court to block the project. The Sierra Club Legal Defense Fund took the lead for the groups in filing the lawsuit, which accused government officials of covering up the presence of hazardous wastes along the route. The suit also questioned the “environmental justice” of the project, claiming it would mainly benefit Maryland commuters and affluent Capitol Hill residents, but would hurt the African-American neighborhoods in southeast Washington.

According to the plaintiffs, the city had conducted tests in 1992 to confirm the lead-contaminated soil, but had not divulged it. The suit called for the city to take a second look through an additional environmental review. Eleanor Hill of Barney Circle Neighborhood Watch asked reporters, “Would you want hazardous waste in your front yard?” She added, “We are angry because there was no intention to tell the neighbors.”

The city denied trying to hide anything. Officials said they heard about the problem 2 years earlier and wanted a full report on the contamination and the best way to get rid of it:

The pollution, which probably came from an incinerator ash in an old landfill, may require excavation of up to 59,000 tons of dirt, enough to cover a football field 24 feet deep, according to city studies City officials said 59,000 tons is a worst-case figure and contended the waste poses more hazards now, seeping into the groundwater, than if excavated and removed.

Attorney Roberts B. Owen indicated that a second group might sue as well if they conclude the city did not consider all alternatives to the freeway. They had in mind such alternatives as expanded highway ramps or traffic management measures such as changing pairs of area streets to one-way operation. [Cohn, D’Vera, “Suite Seeks to Stop D.C. Plans to Build Connector Highway,” *The Washington Post*, May 13, 1994]

This second group filed suit on May 18 based on the claim that the city did not consider all reasonable alternatives as required by NEPA. [“Second Suit Seeks to Block Barney Circle Connector,” *The Washington Post*, May 21, 1994]

District officials had hoped to begin construction in a few weeks, but on June 8, FHWA delayed the start until at least October 1 to allow time for Judge Harold Greene to review the first lawsuit. Ted Zukoski, an attorney representing the Sierra Club Legal Defense Fund, told reporters the environmental coalition hoped FHWA and the District would “use that time to do the right thing, which is a supplemental environmental impact statement” to assess the hazardous waste issue. [Neufeld, Matt, “Barney Circle Project Stalled by Federal Suit,” *The Washington Times*, June 9, 1994.

During a District Court hearing on August 17, FHWA indicated that it would perform an environmental assessment on the issue of hazardous materials. Such an assessment is an interim document that would allow FHWA to determine whether a more detailed EIS was needed or the issue could be settled with a Finding of No Significant Impact. Plaintiffs considered the decision a “partial victory.” Defense Fund attorney Howard Fox said, “We are delighted that they are

proceeding with this first step.” [Neufeld, Matt, “Barney Circle Plan Up in Air,” *The Washington Times*, August 18, 1994]

Later that year, a column by Bill Rice in *The Hill* newspaper discussed Owen:

Roberts Owen has been fighting highways in Washington for a generation. As a young lawyer in the 1960s, he successfully represented opponents of the Three Sisters Bridge over the Potomac just north of Key Bridge. It was part of a grand scheme that would have built freeways through Capitol Hill, Brookland, Dupont Circle, up Glover Archbold Park and Wisconsin Avenue to Maryland and elsewhere, destroying the commercial and residential fabric of the city.

Now . . . Owen represents some of the same citizen groups, using some of the same legal arguments to stop the Barney Circle Freeway, a vestige of the same old highway plans.

Rice discussed the two sides of the argument, but said that ultimately, “Barney Circle will be a political decision.” In conclusion, he asked and answered a question about the project:

Where is the momentum? The Three Sisters battle was a defining issue for land use in the city. There were arrests, it was a key stop to District home rule and a new law was created. The Barney Circle is almost invisible in comparison, but opponents seem to be slowly gaining, building on the previous freeway battles. As Capitol Hill resident and statehood activist John Capozzi puts it, Barney Circle backers “think that they’re going to reduce traffic by building more highways. This mentality is dead.” [Rice, Bill, “Barney Circle Freeway: A Dead Mentality,” *Inside Ward Six, The Hill*, November 10, 1994]

By August 1995, the environmental review was ready for public comment. The *Post* described it:

During the last 20 years, the project has been reviewed and debated at more than 130 public hearings and in at least two lawsuits and two environmental reports. The latest report, released last week, is as thick as a telephone book and contains 17 colorful maps

The report essentially ratifies the findings of a 1983 environmental assessment and concludes that there are no significant new factors that would require more . . . study or alter the earlier decision to build the bridge and highway-linking project.

Opponents, of course, disagreed:

Opponents of the project still maintain that a series of less-expensive ramps that would cut through Anacostia Park would resolve the same problems the Barney Circle Freeway is meant to address, destroy less parkland and avoid problems that a commuter highway would bring to the residential neighborhood it would traverse.

Capozzi, a resident of the Barney Circle neighborhood and the District's "shadow" representative to Congress, said that he was as determined to stop the project as city and Federal officials are determined to build it. He told a reporter:

"This is a political battle with no end," he said. "We outlasted Barry and then Kelly. In D.C., the strategy is to outlast people. The road was a bad idea since the beginning. I have been working on this constantly for six years. I can't believe, in the end, people will allow it to be built." [Wheeler, Linda, "D.C. Freeway in Limbo," *The Washington Post*, August 21, 1995.]

(Unlike the District's nonvoting Delegate, a "shadow" representative is not a Member of Congress. Instead, the city elects the "shadow" representative to advocate District statehood in the House of Representatives, as in the days when territories sought statehood.)

In November 1996, with the project still held up in court, the Department of Public Works decided to bring the first phase of the project before the city council – a \$15 million contract to improve access to the stadium. City Engineer Gary Burch explained that he hoped the city council's support would "encourage the judge to reach some kind of decision."

He recognized, however, that compromise was not likely. "Some people have realized that it is a positive project, and others have maintained the position that it is not. If the courts rule in our favor, we could start construction in a couple of months. But if the courts rule in favor of the opponents, we have to do some rethinking about the project."

Opponents were not fooled by the focus on one small element of the project. Jim Dougherty of the local Sierra Club said, "this is a referendum on the entire project. The government always wants to piecemeal these projects, but we are focusing on the big picture. We are going to file an injunction if we have to stop the bulldozers." [Harris, Hamil R., "Barney Circle Freeway Controversy Flares Anew," District Politics, *The Washington Post*, November 8, 1996]

On December 3, 1996, the city council voted to reject the \$15 million contract, despite the warning that the city would have to repay the \$30 million in design costs for the Barney Circle Connector project. Councilman Harry Thomas, Sr., chairman of the public works committee, explained, "We are going to wait for the courts to settle this issue." Following the vote, Dougherty recommended that the Federal funds be used for Metro construction. "The real sin of this project is that it would have worsened traffic in the city, and for 15 years it was held out as a panacea." [Harris, Hamil R., "Their Last Hurrah?" District Politics, *The Washington Post*, December 5, 1996]

That action effectively killed the Barney Circle Freeway project.

On March 4, 1997, Delegate Eleanor Holmes Norton (D), who had succeeded Delegate Fauntroy as the District's nonvoting member of the House of Representatives on January 3, 1991, declared the Barney Circle Freeway dead at a meeting in Anacostia with community representatives and EPA officials. Her comments stemmed from the city council's rejection of the contract the previous December, according to the *Post*:

That action spurred Norton to pursue alternatives with D.C. Mayor Marion Barry (D), council members and federal highway officials.

“The Barney Circle opposition, after 15 years, has been successful,” Norton said yesterday in an interview. “The \$200 million is still ours. I am looking at—and talking with the District about—the best use to be made of the money.”

Delegate Norton made clear that she would pursue transfer of the Interstate construction funds to other purposes despite termination of the Interstate withdrawal-substitution process. She knew that Congress had approved exceptions, including two in the Surface Transportation and Uniform Relocation Assistance Act of 1987 (to allow a substitute fixed guideway system in lieu of additional general lanes on I-110 in the Los Angeles area and substitution of a light rail transit system for added lanes on I-205 in Portland). The Intermodal Surface Transportation Efficiency Act of 1991 contained a third exception to allow substitute transit projects instead of added lanes on I-94/East-West Transitway in Milwaukee and Waukesha Counties, Wisconsin. With these precedents in mind, Delegate Norton said, “It’s my job to go for it, although the city would have to determine the substitute projects.”

As an alternative, Mayor Barry directed the Department of Public Works to study whether adding two ramps to connect the Sousa Bridge with I-295 in either direction would be feasible.

Capozzi released a letter he had received from FHWA Acting Administrator Jane F. Garvey listing the congressional exceptions to the end of the Interstate withdrawal-substitution provision. She also informed him that FHWA would not seek return of the funds used for preliminary engineering if the city scrapped the project for “valid issues and concerns.”

He was not, however, ready to declare victory. “We don’t give up until we see the money spent somewhere else.” He added that he supported the ramp concept offered by project opponents. “I love the ramps. I’ve always felt the ramps are the solution.” As for the legislation needed to use the Interstate for substitute projects, he said, “It’s just, like, one sentence in a bill It’s our money anyway.”

Other project opponents were divided on whether to celebrate. City Councilman Kevin P. Chavous declared that the Barney Circle Freeway “is absolutely dead, and it’s a victory – a major victory.” Councilman Thomas also welcomed Delegate Norton’s initiative. “We’ve got some potholes and some streets within the city that federal money now doesn’t take care of,” he told a reporter. He added that he had a long list of alternative projects for Mayor Barry to consider.

Fern L. Shepherd, an attorney for the Sierra Club Legal Defense Fund, said:

I’m leery to say that the project is dead. It seems to have more lives than an alley cat. But if the money is taken away, then that really is the death knell for this project. I think it’s a really wonderful development that [Norton] has taken this step.

The Sierra Club’s Daughterty also was skeptical. “It’ll be dead when the mayor says it’s dead. The heart is still beating.” [Loeb, Vernon, “Norton Declares Barney Circle Freeway a Dead

End,” *The Washington Post*, March 5, 1997; Spellman, Karyn, “Barry Controls Fate of Barney Circle,” Traffic Stops, *The Washington Times*, March 10, 1997]

In June 1998, Congress completed work on legislation reauthorizing the Federal-aid highway, transit and safety programs. President Bill Clinton signed the Transportation Equity Act for the 21st Century (TEA-21) on June 9, 1998 (P.L. 105-1780. Delegate Norton, a member of the Committee on Transportation and Infrastructure, had secured agreement to include a provision making the Barney Circle Freeway eligible for Interstate withdrawal-substitution. Delegate Norton called the pending provision a “tremendous windfall” for the city, about \$173 million that she said could be used to improve major thoroughfares or transit. However, the conference committee to resolve differences between the House and Senate versions of TEA-21 left the provision out by mistake. (Delegate Norton, who could vote in committee, but not on the House floor, was not included in the conference committee.)

Chairman John H. Chafee (R-RI) of the Senate Committee on Environment and Public Works was committed to correct the oversight. [“City Could Reap Millions for Roads,” *The Washington Times*, June 3, 1998]

Congress corrected the error and other technical glitches by including the Norton amendment in the TEA-21 Restoration Act as Section 9001 of the Internal Revenue Service Restructuring and Reform Act of 1998, approved by President Clinton on July 22 (P.L. 105-206). Among other corrections to TEA-21, the provision restored the Barney Circle Freeway provision as Section 1225 of TEA-21. It began:

APPROVAL OF PROJECT.—Notwithstanding any other provision of law, upon the request of the Mayor of the District of Columbia, the Secretary may approve substitute highway and transit projects under section 103(e)(4) of title 23, United States Code (as in effect on the day before the date of enactment of this Act), in lieu of construction of the Barney Circle Freeway project in the District of Columbia, as identified in the 1991 Interstate Cost Estimate.

Capozzi told a reporter for *The Washington Times*, “This proves that boondoggle projects can be stopped in this area. I think that anything besides the freeway will be good.” He was still promoting the idea of using the substitution funds for ramps on the 11th Street and Sousa bridges to provide the missing link. He planned to remain vigilant to see how the funds would be used.

Doughterty also was happy. “We finally get to dance on the grave of Barney Circle.”

Not everybody was happy. Bob Grow of the Greater Washington Board of Trade said:

It’s a shame that it’s not being built. It would have provided much better access for the District of Columbia to the suburbs, particularly Prince George’s and Montgomery counties. It would have meant better job offers, more job opportunities. It’s . . . access that’s sorely need now. [Siew, Walden, “Freeway Funds Get Freed Up,” *The Washington Times*, July 7, 1998]

The District of Columbia used the substitution funds for a major project to resurface city streets and improve the Anacostia Freeway. The resurfacing project began on June 6, 2002, when Delegate Norton and Mayor Anthony A. Williams (D) helped a crew pour concrete on Congress Place, SE. [Metro: In Brief, *The Washington Post*, June 7, 2002]

As of May 21, 2002, the city new District Department of Transportation began operations.

Closing the Missing Link

By 2005, the situation had changed. The Montreal Expos baseball team moved to Washington to become the Nationals. From 2005 through 2007, the team played at refurbished Robert F. Kennedy Memorial Stadium, which was served by Metro Stadium-Armory Station. However, Mayor Williams, who had fought hard to secure the baseball team, encouraged the city to build a stadium for the team along South Capitol Street in Southeast, an area on the verge of recovery from decades of decline.

Nationals Park opened in time for the 2008 baseball season. By then, the area was bustling with activity. The U.S. Department of Transportation moved its headquarters from Seventh Street, SW., to two buildings along M Street, SE., in the spring of 2007 (the address is 1200 New Jersey Avenue, SE.). New apartment towers and commercial enterprises were open or planned. (Many commercial projects were delayed by the difficulty of securing loans after the fall 2008 economic collapse, but moved forward when the situation eased.)

By 2005, Mayor Williams and the city council supported a plan to replace the 11th Street Bridge, built as part of I-295 in the 1960s. The city would build three freeway bridges to separate local and freeway traffic at an estimated cost of \$390 million. According to a District Department of Transportation brochure:

The new freeway bridges also provide the missing Interstate connections between I-695 (also known as the Southeast-Southwest Freeway) and DC-295, fixing a long-standing deficiency that forced motorists to use local streets to connect to and from both freeways.

The brochure stated:

The \$295 million first phase provides three new bridges; a new 14-foot-wide pedestrian and bicycle sidewalk on the local bridge that connects to the Anacostia Riverwalk Trail; drainage and other environmental investments to treat all storm water within the project area; an additional evacuation route; and design accommodations for the future streetcar system.

Construction began in December 2009. On September 7, 2013, the District opened the 11th Street Bridge along with direct connections between the Anacostia Freeway and the Southeast-Southwest Freeway, finally accomplishing one of the goals of the Barney Circle Freeway project by diverting traffic from local roads.

Mayor Vincent C. Gray (D) said, "This bridge is a great way of connecting east and west. We need to do more of that in this city."

The brochure continued:

Because of the success of Phase I, FHWA authorized DDOT to proceed with the remaining 20 percent (Phase II) of the project at an additional, estimated budget of \$95 million. Phase II of the 11th Street Bridge Project will further improve connections along the I-695 (aka SE/SW Freeway) and lay the groundwork for its reconstruction to a level Boulevard between 8th Street, SE and Barney Circle (Pennsylvania Avenue). Phase II construction started in **July 2012** and is scheduled to be completed in **mid-2015**. [Bold in original]

Phase II includes:

- Replace the dilapidated, two-lane I-695 outbound flyover bridge (over M Street) with a new, three-lane bridge.
- Provide better access to Capitol Hill and Historic Anacostia via new ramps on 11th Street from the I-695 (aka SE/SW Freeway) and Boulevard.
- Raise the SE/SW freeway approximately 20 feet between 8th and 13th Streets to re-designate it as a Boulevard.

Perhaps to the surprise of some observers, the new bridge was part of I-695, a long-dormant designation that had survived the Interstate withdrawal-substitution purge of District freeways, but had never been used on street signs. As discussed earlier, the official description of I-695 had varied over the years:

1960

695 – Portion of south leg of inner belt from FAI Route 95 to FAI Route 295.

1961

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, S.E., excluding the coincident section of FAI Route 95.

1964

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.

1966

695. From FAI Route 66 at the east end of the Theodore Roosevelt Bridge eastward to a junction with FAI Route 295, excluding the portion coincident with FAI Route 95.

1969

From a junction with FAI Route 95 southwest of the U.S. Capitol eastward to a junction with FAI Route 295 in the vicinity of 11th Street, Southeast.

In 1984, the District had secured approval of several changes in Interstate numbering:

Redesignation of I-395 as I-195

Redesignate as I-195 presently designated I-395 between the intersection of present I-695 in Washington D.C. and the present terminus at the intersection of New York Avenue.

Redesignation of I-695 and I-295 as I-395

Redesignate as I-395 presently designated I-695 from the intersection with present I-395 to the intersection of I-295. Also, redesignate as I-395 presently designated I-295 from the intersection with I-695 to East Capitol Street.

The changes to I-695 were in anticipation of the Barney Circle Freeway project.

Now, with work underway on the 11th Street Bridge project, the District Department of Transportation pursued changes in numbering of affected Interstate routes in 2008. The proposals were in two stages submitted at the same time, the first involving I-295:

I-295 begins at I-95 in Maryland near the Woodrow Wilson Bridge. It runs north into DC where it turns west at an interchange with DC 295 to cross the Anacostia River via the 11th Street Bridges. On the west side of the river, I-295 turns north at an interchange with I-695 and extends to its terminus at Pennsylvania Avenue at the Barney Circle. The planned route for I-295 continues north from Barney Circle to East Capitol Street near RFK Stadium, and then northwest through the city to an interchange with other unbuilt freeways near New York Avenue. The segment of I-295 north of East Capitol Street was withdrawn in 1978. The unbuilt portion between Barney Circle and East Capitol Street was never officially withdrawn. Because I-295 was not completed, the system ramps that provide route continuity from the 11th Street Bridges to Barney Circle are operationally obsolete and have been closed to traffic for several years. The District is requesting de-designation of 2.05 miles of I-295 from the interchange with DC 295 to East Capitol Street. This includes 1.24 miles of existing I-295 and 0.81 miles of unbuilt I-295. After de-designation, I-295 will become a continuous freeway with DC 295, which will serve to rationalize the interstate system in the District. The portion of I-295 between I-695 and Pennsylvania Avenue will be converted to an urban boulevard with connections into the neighborhood street system. The future disposition of additional right-of-way no longer needed for highway purposes will be determined by the District and FHWA. The portion of I-295 between DC 295 and I-695 will be redesignated as I-695 under a separate request.

The second request concerned I-695:

The purpose of this request is to redesignate the 0.61 mile portion of I-295 crossing the Anacostia River to I-695 to maintain system continuity. I-695 (Southeast Freeway) begins where I-395 turns north into the 3rd Street tunnel in Southwest Washington, and continues for 1.39 miles to the interchange with I-295 at 11th Street in Southeast Washington. In 1984, the District received approval from AASHTO [American Association of State Highway and Transportation Officials, successor to AASHO] to redesignate I-695 to I-395, and to redesignate the portion of I-395 through the 3rd Street tunnel as I-195. However, this approval was contingent on extending I-695 across the Anacostia River and connecting to DC 295 north of Pennsylvania Avenue. Since this connection was never completed, I-695 was never redesignated. This original application will be abandoned with approval of the current request. With the pending de-designation of a portion of I-295, I-695 will no longer connect to an interstate highway at its eastern terminus. Because of this, the District is requesting to extend I-695 across the Anacostia River on the de-designated I-295 alignment to a new terminus at the end of I-295. This change will serve to rationalize the freeway system in the District and provide for interstate connections at both ends of I-695.

By regulation, FHWA retained approval of Interstate numbers, but by protocol, awaits action by AASHTO. Therefore, the District submitted the two requests to AASHTO, which forwarded them to FHWA on April 6, 2009. AASHTO Executive Director John Horsley summarized:

Enclosed for your review and approval are two applications from the District of Columbia Department of Transportation to eliminate a portion of I-295 in Southeast Washington, DC and extend I-695 to maintain system continuity between I-395 and I-295/DC 295. The facility is currently open to the public.

He requested a reply in time for the May 15 meeting of AASHTO's Special Committee on U.S. Route Numbering. On May 12, FHWA Associate Administrator for Planning, Environment and Realty Gloria M. Shepherd replied that action would be deferred to allow time for the District to consider right-of-way implications and review other issues:

Eliminate I-295 from I-695 to Barney Circle (Pennsylvania Avenue)

The FHWA is currently reviewing the District of Columbia's request and therefore does not concur with the request for route number elimination at this time

Renumber a portion of an existing Interstate highway from I-295 to I-695.

As noted above, the FHWA is currently reviewing the District of Columbia's request to eliminate a portion of I-295 which will have a direct impact on rationalizing the need for this renumbering request. Therefore the FHWA does not concur with the renumbering request at this time.

AASHTO's numbering committee approved the change on May 15, 2008, subject to FHWA approval.

The issue delaying FHWA approval involved the possibility that the District would have to repay FHWA for right-of-way acquired for I-295. The request was suspended while the city considered the potential costs. FHWA held periodic discussions with District officials before learning that

the city was finally ready to proceed in 2012. On August 23, 2012, Federal Highway Administrator Victor M. Mendez wrote to Director Terry Bellamy of the District Department of Transportation to approve the two actions. The approvals formally relinquished the right-of-way to the District, with the understanding that if any properties were disposed of to developers or private parties, the city would use the proceeds on eligible Federal-aid highway projects.

Unresolved Battles, Unanswered Questions

As discussed earlier, the revolt against freeways in the Washington area was similar to battles in other cities. In the District, as elsewhere, the story began in the 1940s with confident officials working with a renowned city planner to develop an expressway, freeway, or thoroughfare plan to address transportation problems for years to come. BPR worked with State highway officials, the planners, and local officials to study traffic patterns and conduct surveys of residents in each city to lay out the Interstate masterplan for the metropolitan area.

The planners and BPR assumed that transit would be provided by private companies, as in the past, and that the decline in patronage that begun after the surge in ridership during World War II would continue (the surge itself was a war-driven aberration in declining patronage since the 1920s). That was not their concern as they drew inner, outer, third, and even fourth circumferentials and arterial connectors on their maps following the *Interregional Highways* model.

The planners depicted lines of service in heavy traffic areas, sometimes in the form of elevated, double-decked freeways through congested downtowns or along decaying waterfront warehouses. At times, the freeways were routed through parks to minimize the taking of homes and businesses. Officials and planners believed these new freeways would not only relieve congestion but reverse suburbanization, restore city tax bases, and revitalize cities, especially in the decaying areas around downtown where inner loops would be built.

Cities that began construction in the 1940s and early 1950s opened freeways with relatively little controversy. But by the late 1950s, as State highway agencies began building urban Interstate freeways under the program launched by the Federal-Aid Highway of 1956, citizens in many cities began to revolt against the freeways. In San Francisco, Boston, and elsewhere, the protests often began with citizens whose homes or businesses would be displaced, whose neighborhood communities would be divided by what became known as “Chinese walls,” or whose parks would be taken. This first generation of citizen opponents wrote letters to editors, appeared at city council meetings, and ensured their loud voice was heard. Critics formed citizen groups to focus efforts on fighting city hall. The groups communicated with their counterparts in other cities to find out what had worked elsewhere that could be adapted for local use.

In these early years, the officials planning the highways were often dismissive of citizen objections. The officials believed that the public did not understand the master plan for urban revitalization that the freeways represented. Because opponents, in short, missed the point, officials launched public relations campaigns such as National Highway Week to recognize “the vital role of highway transportation in our way of life,” as President Kennedy proclaimed in declaring the first such week (May 21-27, 1961). It was an opportunity for ribbon cutting,

reaching out to local media, and addressing myths such as the oft-stated claim that road builders wanted to “pave over America.” Road officials urged critics to wait until the complete urban freeway network was in place; then these critics would not only see how effective it would be, but would forget they opposed it!

The lack of interest in the objections spurred greater citizen anger, intransigence in demands to kill the freeways, and support for transit or traffic operations alternatives such as paired one-way streets and synchronized traffic lights.

The battle against urban freeways shifted in the 1960s. As the new freeways failed to deliver the promised benefits and air pollution worsened, protests increased. The opponents saw new models in contemporary protest movements for civil rights, against the Vietnam War, and other causes.

In addition, the environmental movement took hold in the country, usually dated to publication of Rachel Carson’s 1962 bestseller, *Silent Spring*. Her book had nothing to do with highways, but was an examination of how chemicals such as DDT that were used to solve problems often had unintended consequences on nature. *Silent Spring* helped people understand how human actions such as highway construction, however well intentioned, sometimes affected the environment adversely.

Congress responded with a series of environmental laws, culminating in the National Environmental Policy Act of 1969. It provided for environmental impact reviews of major Federal actions, including Federal-aid highway projects, with public involvement to ensure citizens could not be ignored, brushed off, or bulldozed out of the way.

Highway officials and engineers were slow to embrace environmental awareness. Initially, they doubted that NEPA applied to highways. Moreover, opponents were already delaying highway projects and now these new laws, officials complained, were adding further needless delays in securing the promised benefits in traffic relief, safety, and economic opportunity. The early NEPA reviews typically were brief, used the same canned language as other reviews around the country, and dismissed any adverse impacts by citing the traffic and safety benefits of the project. When complaints continued, officials tried to satisfy critics by offering to build the freeways in tunnels, use air rights above the freeways to replace the housing and businesses acquired for the projects, or provide room under elevated freeways for other public purposes.

Gradually, highway officials realized they could not stop critics through boilerplate arguments, through release of “facts” or rebuttals of “myths,” or by patronizing or ignoring them. Officials discovered, instead, that they now had an accepted framework in the NEPA review for addressing citizen concerns and adverse impacts that could be mitigated or eliminated as part of the construction project. They learned that the fastest way to begin construction was to take time to address concerns about it.

The nature of the opposition also changed. The legislation encouraged established environmental groups to get more involved in the battles against freeways because failure to meet the new requirements could be contested in court under the Administrative Procedure Act of 1946. Citizens would continue to protest, but as happened in the battle against the Barney Circle Freeway, the established groups increasingly provided the formal opposition, especially in court.

Cities around the country faced the same problems as the District of Columbia by the early 1970s. The Federal Government was willing to pay 90 percent of the cost of building the Interstate freeways the cities could not build on their own and, increasingly, did not want to build. At the same time, cities did not want to lose the money that could be used only for what they did not want to do.

If NEPA was the first great shift in the freeway wars, the Federal-Aid Highway Act of 1973 was the second. It contained the mechanism to break the “Gordian knot” facing local officials who wanted the freeway money but not the freeways. The Interstate withdrawal-substitution mechanism, inspired initially by protests against Interstate freeways in Boston, proved to be the relief valve that gave local officials a way to avoid building controversial urban freeways while retaining access to equivalent funds for more popular transit and eventually highway alternatives.

While the program was in effect through September 30, 1983, FHWA and the Department of Transportation processed 50 actions involving the withdrawal of 343 miles of Interstate highways with an initial base cost of \$9.771 billion. These actions took place in 32 withdrawal areas in 21 States. (The totals do not include actions, such as withdrawal of the Barney Circle Freeway, authorized by special legislation after the September 1983 conclusion of the program.)

[Interstate Substitution-Withdrawal Program Legislative History and Related Information, Part V, *Engineering Data: The Dwight D. Eisenhower System of Interstate and Defense Highways*, FHWA, July 1998, page 3,

<https://www.fhwa.dot.gov/highwayhistory/data/page05.cfm>]

The D.C. freeway revolt followed the standard model in many ways. It was, however, unique in other respects.

The District of Columbia is different from all other cities because it is not part of a State. This difference meant that as District officials increasingly turned against freeways, they did not have to answer to a State highway agency determined to build them. In the absence of a State highway agency, District highway officials routinely dealt directly with BPR/FHWA officials on Federal-aid highway issues and had established good relationships with them over the years.

At the same time, the District had a unique status under the Constitution that left it subject to Congress in ways that other cities were not. Before the launch of the Interstate construction program in 1956, Congress, which had to authorize and appropriate funds for major road and bridge construction projects in the city, often was swayed by objections from Federal agencies such as NPS that city officials rejected. The Theodore Roosevelt Bridge was an example. After 1956, the city could proceed with construction of designated Interstate freeways if it could overcome objections, but Congress had to authorize and appropriate the 10-percent matching funds. As a result, Congress through its Committees on the District, Appropriations, and Public Works, intervened extensively on freeway and transportation issues as on every other aspect of the city’s budget.

In other cities, Members of Congress did not have a constitutional basis for intervening in local freeway battles. As happened with the freeway fight in San Antonio, they sometimes cooperated with local officials in seeking special legislation. In the District, controversial projects often involved detailed negotiations with Members of Congress before projects could advance. Even

after local officials turned against freeways, congressional leaders such as Chairman Natcher felt they had not only the authority but the responsibility to assert their own judgment of what was best for the city. No other city faced similar, repeated intrusions.

Further, the city was handicapped in fighting such intrusions in a way faced by no other city, all of which had voting Representatives and two Senators to protect their State's interests. Even after the District received a delegate in the House of Representatives, he or she could not vote on the House floor; the city was not represented in the Senate. The Leveys, in their *Washington Post Magazine* article about the freeway battles, said of Chairman Natcher that his attitude was: "When it came to the District of Columbia, the will of Congress would be done." [Levey, page 17]

That sentiment, embodied by the phrase "the will of Congress," was cited repeatedly on Capitol Hill during the D.C. freeway revolt. This view was shared by leaders of the House Committee on Public Works and, to some extent, their Senate counterparts. Chairman Fallon, for example, had dedicated his congressional career from its earliest days in 1945 to highways; he worked closely with the Federal highway leaders, respected them, and agreed with them on the importance of highways generally, the Interstate System specifically, and the District's freeway network in particular.

When District officials agreed with the citizen protestors, Chairman Fallon, Chairman Kluczynski, and their colleagues thought Congress should act in their stead. These views of a city that must do what Congress wanted resulted in the provisions of the Federal-Aid Highway Acts of 1968 and 1970 requiring construction of District freeways. No other city faced such frequent, intrusive, and comprehensive action, contrary to the views of city leaders, during the years of freeway battles nationwide.

The fact that the District of Columbia housed the Congress was another unique factor. For much of the year, Senators and Representatives lived in the District, Maryland, or Virginia, often with their families. They traveled in the city, their children went to local schools, they formed local friendships, and built relationships with local chambers of commerce, boards of trade, universities, and other similar local institutions. For example, except for those from Texas, they might not have ever been to San Antonio while that city's freeway battle was under debate in Congress. However, Members of Congress knew the Washington area in ways they did not understand other cities, even in their own State, where similar battles were taking place.

This knowledge was another reason why Members of Congress felt entitled to assert their will over the wishes of local officials and citizens, as in the case of plans for routing a highway through Glover-Archbold Park. The disadvantage of this familiarity was that some Members of Congress did everything they could to get those freeways built, while others tried to block them and many Members of Congress fought hard to create the Metro rapid rail system while others such as Chairman Natcher tried to block those efforts. This battle of District overseers came to a head in December 1971 when the House of Representatives finally overturned Chairman Natcher's efforts to hold Metro hostage to freeway construction.

The road builders and their supporters also had to face a bureaucratic opposition that was unique to the area. NPS and NCPC had been fighting the road builders long before President Eisenhower signed the Federal-Aid Highway Act of 1956. As freeway activities accelerated, NPS, NCPC, and other organizations and associations unique to the Washington area exerted greater efforts to protect their interests.

The citizen revolt led by ECTC in the District (and by the Govans and ACT in the I-66 battle) followed a common pattern of highway opposition seen in other cities. In many cases, one or more strong personalities stood out. For example, one of the anti-highway crusaders in Baltimore was a social worker named Barbara A. Mikulski, whose notoriety during the freeway battles led to her becoming a member of the city council, the U.S. House of Representatives, and the Senate where she became the longest serving woman in the Congress before retiring in January 2017.

ECTC, of course, had Sammie Abbott, whom the Leveys correctly characterized as “a firebrand of the old school.” [Levey, page 14] No one who came in contact with or observed Sammie Abbott during the District freeway revolt, or any of his other crusades, was likely to forget him. Informed about the preparation of this article for FHWA’s Highway History Web site, a retired FHWA urban planner, Kevin E. Heanue, immediately stated, “Sammie Abbott,” the name he most closely associated with the freeway battles and the challenges they posed for highway officials in the area.

Abbott could not be intimidated, embarrassed, silenced, or convinced to back down; going to jail was a part of his action plan, and being unreasonable was a valuable tactic that he would never yield in the anti-freeway fight or any other battle. Members of Congress who tried to put him in his place during testimony found that he would do the same to them. He had many allies, black and white, but he stood out as the loudest and usually most outrageous voice in any crowd.

Abbott was elected mayor of Takoma Park three times (1980-1985), during which time he brought the community into the national political arena by denouncing U.S. war policy and opposing nuclear weapons; at his instigation, Takoma Park declared itself a nuclear-free zone. At the same time, he “leveraged the creative energy of activists, musicians, and artists to create traditions like the Takoma Park Folk and Street Festivals, reinvigorating the community and its sense of identity.” [Takoma Park, pages 105-106]

After he died on December 15, 1990, at the age of 83, the *Post* obituary described him as “a colorful man of controversy as well as conscience Strident, confrontational, acerbic, cantankerous, even abusive – all were words used to describe him.” He claimed to have been arrested 40 times. His ECTC colleague, Reginald H. Booker, said of him:

Most of us don’t have that kind of dedication. Most of us are seeking the comfort of a job, a title or a position. Sam was not seeking that. He didn’t have a hidden agenda like so many other politicians.

People, Booker said, “always asked me if Sam was a communist. I wasn’t interested in his political philosophy. I was interested in stopping the freeway.” Abbott, he said, “had tremendous political insight and instinct. He could build a superior organization, and he

understood human nature.” At the same time, “He didn’t want people to feel that he was a white man manipulating a black man. He would always defer to me.” In short, as the Leveys put it, Abbott was “the spark plug, the strategist, and one who supplied and piled passion on demand”:

When Abbott died, in 1990, at the age of 82, he had never received any formal recognition for his role in blocking freeways. But his former colleagues on ECTC know that he was essential. “When people fly into Washington, they marvel at how pretty it is,” says Angela Rooney, who helped found ECTC. “Well, it wouldn’t look that way if not for Sammie Abbott.” [Leveys, page 17]

He was survived by his wife Ruth, a son, two daughters, and four grandchildren. [Leveys, pages 13, 15, 17; Armao, Jo-Ann, “Legendary Takoma Park Mayor Dies,” *The Washington Post*, December 18, 1990; Hill, Retha, “Takoma Park’s ‘Angry’ Mayor Remembered,” *The Washington Post*, January 6, 1991]

As with the Govans, freeway battles sometimes were limited to one urban freeway rather than an entire network. In the District, Abbott and others opposed the entire network and focused on all mileage not yet built – and were remarkable in blocking much of what they opposed. City officials, as they gained increased authority under President Johnson’s reforms and home rule under President Nixon, embraced the anti-freeway philosophy, and at least part of the reason was that they had learned from the freeway critics.

One of the earliest freeway fighters was attorney Peter Craig, an insider who knew how to use his powerful connections. When the Leveys interviewed Craig, he still lived in the Macomb Street house he had purchased in 1957 in Cleveland Park. All he had wanted to do was fix up his new house:

One day, late in the summer of 1959, someone knocked on his door. She was carrying a petition urging residents of Macomb Street to oppose a cross-park freeway.

I said to her, “What in hell is the cross-park freeway?” Craig recalls. The woman explained that highway planners intended to drive a superhighway from the Georgetown waterfront up the spine of Glover-Archbold Park and out Wisconsin into Bethesda, where it would join what is now Interstate 270.

“It sounded pretty awful, so I signed the petition,” says Craig.

The more he learned of the freeway plans, the more determined to oppose them he became. Craig and two other lawyers became the legal wheels behind the Northwest Committee for Transportation Planning, eventually a key support group for ECTC.

His analyses impressed Congress and the courts, with highway officials struggling to counter them. That was because, as Heanue point out, Craig’s data analysis was correct:

My take, BPR was during this period engrossed in the system nationally and was looking on the District to specify their system and the District was relying on [consultant] Wilbur Smith. This was all before FHWA became much more sensitive to residential and environmental impacts and responsive designs to mitigate the impacts.

Enter two citizens who without any portfolios became in one case the voice and in another the analytical rationale for the freeway revolt. Sammie Abbott was a classical citizen activist who coined the phrase "white men's highway through black man's bedrooms" and Peter Craig, a lawyer, with no engineering background did a simple calculation that showed that every currently registered vehicle in the area which traveled about 10,000 miles per year and when adjusted for growth would have to travel 20,000 miles per year to generate the travel on which the plan was based. Wilbur had been caught at a time when he could only assign survey traffic to the system and if a link was overloaded, the speed was reduced and the traffic rerouted. This moved the traffic further out and increased vehicle miles of travel. His application of capacity constraint, without feedback, resulted in absurd travel per vehicle. Several years later trip distribution models like the gravity model were developed and provided feedback so that congestion resulted in shorter trips.

I had a chance a number of years later to meet Peter Craig and commend him on the fact that, he a lawyer, identified a key metric of the transportation analysis that the planning community had missed. He told me that he only became interested in the topic because his home was potentially impacted by the Connecticut Avenue freeway corridor.

Craig retired in 1989 after 37 years as a lawyer, many of those years as general counsel to the Southern Railway and Amtrak. "I got tired of moving money from one deep pocket to another," he told the Leveys:

I wasn't a tie-myself-to-a-tree kind of person. Still, I feel that, while I've done a lot of things in my life, this has made the most difference. [Leveys, pages 17 and 26]

Former Delegate Walter Fauntroy, who represented the city in Congress through the later stages of the freeway revolt, but could not vote on the House floor, told the Leveys how he became involved. "They were just going to pave the District of Columbia over. We couldn't allow it. We just couldn't":

The vindication of the effort was that today, we have a rational subway system that is complete. When I get on that subway, with all those people, I wonder, "What would it have been like if we had *not* had that subway?" That's my reward. We have made it a little better for both races. [Leveys, page 26]

The Leveys also interviewed ECTC's Booker, who died at the age of 72 on July 19, 2015. As ECTC chairman, he had adopted the look and language of the Black Power movement that was just then transforming the nonviolent Civil Rights Movement:

To a large degree, protesters were victorious because they planned carefully, says Reginald H. Booker, 59, who chaired the anti-freeway coalition, the Emergency Committee on the Transportation Crisis. "And race was a major part of it," he says.

Booker was always quick to use the slogan for which ECTC became known: "White Men's Road Through Black Men's Homes." However, he is just as quick to point out

that the anti-freeway forces would probably have been defeated if whites had not rallied to the cause.

“The whole theory was to appeal to homeowners, no matter what race they were,” Booker says. “Our movement was unique. It was blacks and whites in a common effort, an integrated group, working in their own interests. That was the significant thing. It was an issue that united people.” [Leveys, page 13]

Booker was working for the General Services Administration (GSA) as a clerk. He was often on television and quoted in the newspapers. “A lot of my coworkers were scared of me”:

So were his bosses. One day, after he referred to the D.C. Council on television as “President Johnson’s ranch hands,” Booker was called into the office of the GSA administrator. He was told that his picture would henceforth be posted in the GSA security office so guards would know who he was. He was criticized for “embarrassing the president.” The administrator, Lawson B. Knott Jr., suggested that Booker might be “happier elsewhere.”

So Booker resigned. Since then, he worked for a law firm and as a foster care administrator for a social services agency. He ran twice for the D.C. school board and lost both times. He says that a caution he received in the 1960s has proved to be accurate.

“Julius Hobson [a well-known activist of the day] said to me, ‘Reginald, you will never win the Man of the Year Award for what you’re doing.’”

The Leveys added that when the U Street-Cardozo subway station opened in 1991, City Councilwoman Hilda Mason, who had invited Booker, introduced him to the small crowd as a leader in securing the subway:

There was brief applause, but nothing more.

It was the only public recognition Reginal Booker has ever received.

When Angela Rooney died at the age of 96 on August 20, 2016, the *Post* included her brief obituary in a collection of “Notable Deaths in the Washington Area.” Born in Leighton, Pennsylvania, she had moved to the Washington area in 1955 where she became “a civic activist in the 1960s and 1970s.” The obituary stated that she was a founder of ECTC “that waged a years-long protest against the North Central Freeway, arguing that it would destroy D.C. neighborhoods and amounted to ‘white men’s roads through black men’s homes.’ The freeway was canceled in 1977.” The obituary added, “In the 1980s, Mrs. Rooney was a manager for the Kennedy Center’s Theater Chamber Players.” [“Notable Deaths in the Washington Area,” *The Washington Post*, September 13, 2016]

In 1997, she had given an interview to Chris Niles for *Intersect! A Weekly Fax News Bulletin for the Washington Metropolitan Region* (May 5, 1997). The printed interview began with a discussion of how she, a white woman, became involved in the fight against the planned freeways:

I think the first thing that struck me was the social inequality of ramming a huge freeway through a largely black section of the city which would have just ripped up neighborhood after neighborhood, community after community. It was just a massive attempt to destroy half of Washington DC. Better connected whites in Northwest simply said no way are you going to ram a freeway down Wisconsin or Connecticut Ave or anywhere else in Northwest. So the highway department went back and redrew it and said, “wow, we can go through Northeast, they don’t have any clout.” But the idea that this was going to be imposed on the city without any real opportunity to be heard from was to me an outrage.

Rooney attended a public hearing in Takoma Park where “I found the people I wanted to work with.” They “were immensely advantaged by having a guy named Sam Abbott who was at heart and soul a great union organizer to focus and understand what was really going on.”

The Federal-Aid Highway Act of 1956 had created “an enormous lobby” of people supporting freeway construction:

They had little respect for anyone who got in their way and they were astonished that anybody like me, a white woman living in a largely black neighborhood would get up and testify strongly, mincing no words.

She emphasized that ECTC members were careful to stay within their constitution rights to protest:

Everything that we did was within the law. Still, what came down was the heavy, heavy boot of the FBI and our newspaper (the Washington Post). The Post called us everything from communists to pinkos to “that little band of discontented people”

She also formed a low opinion of BPR/FHWA, although her recollection attributed to BPR/FHWA activities that were the city’s responsibilities:

The Federal Highway Administration was in fact breaking its own laws left and right. They would not hold the proper hearings, they would not publish advance notice of meetings. We had to force the government to obey its own laws and regulations. The more you saw of how criminally they behaved, the more you learned the importance of learning what they were up to all the time. You tracked the organizations that supported the highways, that greased the wheels. You also learned another important thing: Always know where the money is coming from and where it is going.

We eventually succeeded in networking a large area that included the suburban areas of Maryland and Virginia and the whole of the District of Columbia. The idea was to create a political climate of understanding of what was being done so that the lawsuits that were brought and the lawyers who had joined us – there were not many but there were some brilliant ones – would be judged in a political climate that understood the social injustice and the terror that was being visited upon this city and the suburbs.

She spoke of ECTC’s most famous slogan:

Our first rallying cry was: “No White Men’s Roads Through Black Men’s Homes!” We had to do that as offensive as it was to some people because it was absolutely the truth. It was indeed Black men’s homes and businesses that were being confiscated.

It was a personal insult to find out “your home could be gone just like that”:

The highway proponents felt no compunction about this. I don’t remember whether it was the highway lobby men or the representatives from FHA [sic] but they would say, “yeah, we built this road and we didn’t even have to give them the moving money. They didn’t know they were supposed to get it”

The other rallying cry was “Freeways No! Metro Yes!” That was, she recalled, the focus of everything ECTC did:

If they built I-95, the inner loop, the outer beltways and all the other roads, there was no hope for a Metro being built because there would be no money. So we fought long, long and hard for years to break open the trust fund for other kinds of transportation

The key was the Interstate withdrawal-substitution program. “I truly believe that the money was shifted because the freeway people realized that they were operating in a city that made it impossible for anybody to be elected unless they were against the freeways – including Barry.”

Members of ECTC were used to being watched. Rooney described the “agent provocateurs” they had to deal with:

We expected them to be at mass meetings. We learned to look at the shoes to see if they were shined. We learned not to be deceived by anyone who wore fake dashikis – there were lots of those. We learned to study the people who brought unnamed camera crews.

The provocateurs usually tried “to force the crowd into some kind of action that would force the police to interfere”:

We knew our phones were tapped, all the time. We received a lot of phone calls from so-called innocent people just asking how many people did you expect to turn out, or offering to provide coffee and donuts. They would also say that they were writing books and wanted to know if we thought this country was really worth saving. We knew people who worked at the FBI and they saw our files.

She received calls from white people who wanted to protect her. They would ask, “why do you associate with those people? They don’t even use good grammar?” They warned her that the people she was associating with were “pinkos”:

I would say “why don’t you stop worrying about the style of their speech and listen to the content.” Ten years later, we won a lawsuit against the FBI for harassment.

Rooney summarized the lessons she had learned from her experience:

I think one of the most important lessons that came out of our efforts is that there is no compromise unless there are equal advantages on both sides. Otherwise it’s not compromise. What are activists giving up when they compromise? Nothing. What are

the highway people getting? Everything they wanted. It's really important to understand this because people are always being asked to be reasonable. There is no such thing as being reasonable when somebody is putting your head on a chopping block. People are deceived all the time: "Let's get a few of you together and talk it over, we're all reasonable people." You are dead in the water if you buy that. Never go in small groups. Take everybody. Let everybody hear what the highway proponents are up to.

When former NCTC Chairman Elizabeth Rowe died on March 11, 1991, at the age of 79, the *Post* obituary highlighted her efforts to block freeways. When President Kennedy appointed her to NCPC, she "came to the appointment already outspoken in her opposition of ambitious highway plans, then threatening to carve up the city." She warned, "If we build the inner loop, we are not going to have any central city left":

As a proponent of mass transit and of neighborhood preservation, Mrs. Rowe was one of those in officialdom who was outspoken as an increasingly broad coalition campaigned to kill the highway projects. [Levy, Claudia, "Elizabeth Ulman Rowe Dies; Former Chairman of NCPC, *The Washington Post*, March 12, 1991]

Emilia Govan, 62, died of cancer on June 29, 2000. Her obituary highlighted her work with ACT opposing I-66, but added that she had resumed her education when that effort ended. "She was a 1980 cum laude graduate of Georgetown University law school, where she also had been a law review editor."

Her post-I-66 career involved public service and private sector work:

She worked for the Congressional Office of Technology Assessment from 1975 to 1978, then spent two years in the Department of Energy, where she was a senior environmental adviser and became acting director of the environmental, health and safety division in the office of the assistant secretary for fossil energy.

In the 1980s, she was a Washington telecommunications lawyer with the law firm of Pepper, Hamilton & Sheetz. In 1989, she returned to the OTA, where she worked until 1995, becoming director of the energy transportation and infrastructure program. She then did consulting work for the Energy Department and was a vice president of JK Research Associates in Arlington until 1999.

She was survived by her husband James and their two sons. Emilia and James had become well known for their hobby of collecting creches. ["Emilia L. Govan; Lawyer, Educator," *The Washington Post*, July 2, 2000]

The success of ECTC and its counterparts can be observed by travelers as I-395 (formerly I-95) ends in an awkward ground-level connection with New York Avenue, still congested despite several remakes. It also can be seen in the Maryland and Virginia interchanges that carry I-95 motorists along their ramps onto and off the portion of the Capital Beltway that is designated I-95/495.

And it can be seen in the Metro rail system. Construction of the initial 103-mile network cost \$10 billion, of which about \$2 billion came from trading in Interstate freeways, mainly in the District, for the rapid rail network.

The Leveys found a 33-year old woman living near the Brookland Metro Station who had never heard of the freeway revolt:

The visitor asks if she knows that a 10-lane freeway called the North Central was once close to being built right where she's sitting. Does she know that her house was boarded up in the early 1970s, in anticipation of being torn down? Does she know that protestors, led by Reginald Booker, were arrested when they ripped the boards off?

"A freeway here?" [she asks] "Not here! Not possible!" [Levey, page 26]