

GOVERNMENT OF THE DISTRICT OF COLUMBIA
CITY COUNCIL, TRANSPORTATION COMMITTEE

PUBLIC HEARING
ON THE INTERSTATE FREEWAY SYSTEM
IN THE DISTRICT OF COLUMBIA

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GOVERNMENT OF THE DISTRICT OF COLUMBIA
CITY COUNCIL TRANSPORTATION COMMITTEE

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ON THE INTERSTATE FREEWAY SYSTEM
IN THE DISTRICT OF COLUMBIA

Room 500, District Building
14th & E Streets, N. W.
Washington, D. C.

Tuesday, February 3, 1970

The City Council met, pursuant to notice, at 7:30 p.m.
Rev. Jerry Moore, Jr., Chairman of the Committee on Transportation, presiding.

PRESENT: Councilmen Moore (presiding), Shackleton, Robinson, Yeldell, Haywood, members of the Transportation Committee, and Councilmen Hahn, Tucker and Anderson.

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P R O C E E D I N G S

1
2 COUNCILMAN MOORE: Good evening, ladies and gentlemen.
3 MY name is Jerry A. Moore, Jr., and I am Chairman
4 of the Highways and Transportation Committee, and will pre-
5 side at these hearings.

6 Under the Highway Act of 1968, the District Govern-
7 ment is required to make a report to Congress by February 23,
8 1970, on our recommendations with respect to the Interstate
9 Highway System for the District of Columbia, including alter-
10 native routes or plans. In this connection, the District
11 Government must review the proposed South Leg, North Leg,
12 North-East, North Leg, and East Leg elements of the Inter-
13 state System. Failure to report, by the force of law, would
14 compel the District Government to build these projects with-
15 out subsequent Congressional legislation.

16 The Department of Highways and Traffic has sub-
17 mitted its recommendations that propose the construction of
18 the South Leg and Northern sector freeways, and further study
19 of the North Leg. The Department is to be commended for a fine
20 report prepared under severe time constraints.

21 I wish to make it clear that the Council has not
22 prejudged the issues we must decide. These hearings are
23 designed to reopen the record, so that everyone may have the
24 opportunity to present his views, and so that the Council may
25 receive the information it needs to make informed judgments

1 on transportation policies that will affect the District of
2 Columbia for years to come.

3 After many evenings of public hearings, as well as
4 morning hearings over the next several days, we will carefully
5 review the record and prepare our recommendations.

6 In conducting these hearings, it is my opinion that
7 you would wish to proceed in an orderly manner so that all
8 parties wanting to testify may be heard. I wish to make it
9 equally clear that any one who desires to speak, at a session,
10 will have a reasonable opportunity to present his views and
11 to be heard.

12 Chairman of the City Council is at my left; the
13 Vice Chairman is to his left. Also welcoming to the hearing,
14 Councilwoman Shackleton, Councilman Anderson and Councilwoman
15 Haywood.

16 I would ask the City Chairman -- or that the Chairman
17 of the City Council rather, if he would now make a statement.

18 COUNCILMAN HAHN: Thank you, Councilman Moore.

19 There are a few brief remarks that are contained in
20 a longer statement which I made last Thursday. The first point
21 that I want to re-emphasize is that in considering these pro-
22 jects under the provisions of Section 23(c), the considerations
23 are different than they were under Section 23(b), and that is
24 that the Secretary of the Department of Transportation and the
25 Government of the District of Columbia are required to construct

1 the routes specified in the 1968 Interstate System Cost Esti-
2 mate, unless the Government of the District of Columbia and the
3 Secretary of the Department of Transportation shall report to
4 the Congress not later than February 23rd, 1970. And I quote
5 from the Section: "...their recommendations with respect to
6 such projects including any recommended alternative routes or
7 plants."

8 Accordingly, in my opinion, it is imperative that we
9 report on these projects before February 23rd. And, finally,
10 I would like to say that while this report may have no binding
11 effect on the Congress, this report as issued by the Mayor and
12 the City Council, in the hope that it will be a united report,
13 can have great and persuasive weight. And this will depend,
14 in my opinion, on the way in which the hearings are conducted
15 and the way in which our conclusions are drawn from the pre-
16 sentation.

17 As Councilman Moore and I have heretofore announced,
18 the record will remain open until the 12th of February to
19 receive any additional written material, presentation, or maps
20 of the like that anyone may wish to present.

21 The time announced in the hearings for registration
22 as a witness has closed, but many, many witnesses have
23 already registered. And in order to accommodate these addi-
24 tional witnesses, we have set the additional times of 10:00
25 a.m., Wednesday, Thursday and Friday to hear some of these

1 witnesses who will not have the opportunity -- you will not
2 have the opportunity to hear in the evenings, tonight, Wednes-
3 day, Thursday and Friday.

4 VOICE: That is illegal.

5 COUNCILMAN HAHN: Thank you, Councilman.

6 COUNCILMAN MOORE: The first witness tonight is Mrs.
7 Elizabeth Rowe. Will you please come forward?

8 We are pleased to welcome you here tonight, Mrs.
9 Rowe.

10 TESTIMONY OF

11 MRS. ELIZABETH ROWE

12 CITIZEN

13 MRS. ROWE: Thank you very much. It is a greath
14 pleasure to appear before you and to meet you, Mr. Chairman,
15 and to see so many old friends of the City on that Council.

16 As I start to speak to you about freeways, I am
17 reminded of this story of the man who survived the Jamestown
18 flood. He survived and for the rest of his life, he talked
19 about it; not only to his friends, but in lecture halls all
20 over the country. When he died and got to heaven, and St.
21 Peter met him at the gate and asked him if he had any special
22 talents, whether he played the harp, he said he didn't. But,
23 he said, "I know all about the Jamestown flood, and I would be
24 glad to go on any program you have up here."

25 So St. Peter said he would let him know in time

1 if he was interested, and a couple of days later, St. Peter
2 called him, and he said, "We are having a meeting, and we would
3 like to have you come and speak to us." He said, "I just want
4 to tell you that Noah and his family are in the audience."

5 Well, I think that you know that Noah and his family
6 are here, and you do know about the Jamestown flood, you do
7 know about the tithe of public opinion. I, as you know, sat
8 on the Planning Commission for seven years. I am appearing
9 here tonight just as an interested citizen.

10 But I do want to tell you, at first hand, what I saw
11 over those seven years, as I sat on the Planning Commission.
12 There was no other planning issue during those issues that
13 brought forth the flood of citizen interest and protest as did
14 the issue of freeways. The citizens of the City, from all four
15 corners, North, South, East, West, the rich, the poor, the
16 Black, the White were united as on no other city issue in
17 opposition to freeways and in support of mass transit.

18 You, Mr. Chairman, and Members of the Council, have
19 had the same experience, I know, listening to the voice of the
20 people and to their neighborhood and city representatives. I
21 cannot remember one group or individual representing the city's
22 residence who appeared before the Planning Commission in support
23 of the Highway Department's plans.

24 We did, of course, hear from the special interest
25 groups who have appeared here, and who had supported every plan

1 the Highway Department has proposed over the years, just as
 2 they endorse and will endorse the present one. I must say that
 3 the present one is better than those of the past, but it isn't
 4 good enough. Essentially, it is the same old concept watered
 5 down a bit because of the public outcry.

6 You know, really, the concept of an inner-loop and
 7 of interstate radials is old-fashioned. It is twenty years
 8 old, at least, and it hasn't worked. In city after city across
 9 the country, urban freeways are being challenged and stopped;
 10 in San Francisco, in New Orleans, in Minneapolis, in Cleveland,
 11 in New York, to mention only a few.

12 The residents of those cities are asking, just as
 13 Washingtonians are asking, what kind of city do we want? Do
 14 we want a city to live in, work in, raise families in, a city
 15 to enjoy and show proudly to the rest of the country, or do
 16 we want a place to get in and out of quickly? Do we want a
 17 place to move through at high speed? Certainly, there won't
 18 be adequate parking for all of the traffic that will be
 19 invited into the city by the freeways projected by the plan
 20 before you. Do we want Washington to be used as a short-cut
 21 for interstate traffic, including trucks' traffic not destined
 22 for the city. I believe this would be an inevitable consequence
 23 of the newest Highway Department's plan, if it became a
 24 reality.

25 Washington is a great and beautiful city planned to a

1 great design. It was the first planned capitol city in the
2 world, and throughout its history, its public improvements,
3 its government buildings, its monuments and parks have attracted
4 the country's most talented architects and designers. These
5 public improvements came slowly and in many cases, too slowly
6 in a large part because the money was slow in coming. Not so
7 the interstate highway program which I might say parenthetically
8 has done a magnificent job between cities and through open-
9 countryside. That program has its own treasury fund which
10 provides an almost irresistible ten cent dollar to local
11 communities.

12 I believe it is the availability of the media to
13 millions in construction funds, the right-of-way funds, that
14 brings the highway's bulldozer into the city; not sensible
15 planning. What are the offsetting expenses to the city? No
16 dollar sign can be put on the human heartache and the interrup-
17 tion to living and business or on the city's loss of beauty.
18 But the actual cost of land taken off the tax roles, payrolls
19 moving out of the city, of the expensive day to day upkeep of
20 freeways, once they are built can be estimated, but it never
21 has been to my knowledge.

22 If it were, I don't think the freeway money would look
23 like such a bonanza. The problem it seems to me is to continue
24 to plan for the people of the city, to plan for its growth, to
25 plan the federal establishment and to plan the enhancement of

1 its great national monuments and parks. This can be done, but
2 not if one element, freeways, determines all other planning.

3 Freeways can be tamed and made to fit into the city,
4 and I believe that the 1968 General Thorofare Plan adopted
5 by the Planning Commission and the City Council does just
6 that. I might say that that was after my time, so I claim no
7 pride in authorship.

8 Under that plan, that is the 1968 General Thorofare
9 Plan, which you all know well, there would be no new freeway
10 entrances to the city. The existing entrances and pieces of
11 the system would be connected in a reasonable way. The New
12 York Avenue industrial boulevard would provide direct access
13 from the Beltway to the industrial area, and it would go through
14 that industrial area rather than through residential neighbor-
15 hoods.

16 The other parkways and freeways would provide commu-
17 ter access along with the Metro-System. The Thorofare Plan
18 was drawn after the most careful study of all factors, traffic
19 counts and projections, population estimates, employment
20 growth, parking needs, land use, and most importantly the
21 character and livability of the city itself.

22 The new highway plan before you, that is the one
23 proposed by the D. C. Highway Department, as you have heard
24 from the head of the Highway Department himself, is based on
25 no new evidence. It reflects a different judgment based on the

1 same information that is a judgment of highway experts, compe-
2 tent, sincere who believe firmly in their programs. It isn't
3 a plan that reflects the wishes of the people or good over-
4 all planning principles.

5 If this new plan becomes a reality in the interstate
6 traffic of I-95 and 70S come into the city, the North Leg
7 becomes inevitable. After an 18-month study, a delay so amply
8 described earlier in the hearings, as an attempt not to stir
9 up the natives, the immediate building of the North Central
10 and the preferred Plan A for the South Leg would be monstrous,
11 I believe.

12 The North Central isn't quite as monstrous as it has
13 been in earlier plans, but almost. The actual displacement
14 is somewhat less, but what about the nearby houses, the
15 schools, the playgrounds, the parks, the businesses. Who would
16 want to be within range of the air pollution and the noise.
17 Environment is everybody's concern these days. What sort of
18 environment for living and working could there be within
19 blocks of the proposed giant North Central Freeway and its on
20 and off ramps? What sort of environment would the people of
21 the city and the millions of tourist find when they visit the
22 Lincoln Memorial and the Washington Monument?

23 It is unbelievable that a serious proposal could be
24 made to destroy the harmony and serenity of our greatest
25 national monuments, yet if Plan A is agreed to, there would

1 be a tremendous open stretch with the noise and pollution of
2 six or eight lanes of traffic. This would be between the
3 Lincoln Memorial and the land designated by the Congress for
4 the Franklin Roosevelt Memorial.

5 Between the Washington Monument and the Jefferson
6 Memorial, if I could count the legs properly on the map,
7 there would be twelve lanes, I believe, some up and some down.
8 And still we talk about environment.

9 In closing, let me make a plea to the Council. As
10 a life-long Washingtonian and one who loves this city and its
11 people, keep fate with us. Reaffirm your endorsement of the
12 1968 plan. Don't let us down.

13 COUNCILMAN MOORE: Thank you, Mrs. Rowe.

14 (Applause.)

15 COUNCILMAN MOORE: Thank you for a very well-worded
16 and thought-out testimony. It shows that you have put a lot
17 of thought and careful preparation into what you have said.

18 In your testimony, you made mention of the fact that
19 you were formerly connected with the Commission. Would you
20 please identify the Commission and the last position you held
21 there?

22 MRS. ROWE: I was Chairman of the National Capital
23 Planning Commission from 1961 to 1968.

24 COUNCILMAN MOORE: Thank you very much. Now perhaps
25 some of the members of the Council would like to make a

1 statement or to ask you some questions about your testimony.

2 I will ask Vice Chairman if he would like to make a
3 statement or to ask questions.

4 COUNCILMAN TUCKER: I have a couple of questions,
5 Mr. Chairman.

6 Of course, we know of Mrs. Rowe's work on the Planning
7 Commission and in the community, and there were some dark days
8 there as she served as Chairman of the Planning Commission,
9 and we do appreciate it, certainly, the work you have done.

10 We have been advised a number of times in these
11 hearings, Mrs. Rowe, by those who have come before us, as you
12 have advised us, to hold our ground and stick to the 1968
13 Plan, the Thoroughfare Plan, and the others have gone on to say,
14 leave it in effect to Congress to make any changes if any
15 changes are to be made.

16 Let me ask you this. Would you prefer that the
17 ultimate decision with reference to this, if there is such an
18 opportunity, be made by this Council or by the Congress?

19 MRS. ROWE: That is a difficult question, Mr. Tucker.

20 COUNCILMAN TUCKER: That is the one I wanted to ask.

21 MRS. ROWE: I believe the Council -- as Reverend
22 Fautleroy so eloquently stated the other night -- should vote
23 its conscience. I don't think you can second-guess what might
24 be best. I think you have to follow your conscience.

25 COUNCILMAN TUCKER: I think what perhaps some are

1 still struggling with is what is best. If I have studied and
2 studied, I have wondered whether or not all the alternatives
3 have been really actually given full consideration. I gather
4 that you feel that they have. That all the possibilities for
5 dealing with this complicated question have been fully exhausted
6 and you believe that the 1968 Plan includes the best judgment
7 of all possible alternatives.

8 MRS. ROWE: I do believe that the 1968 Plan is the
9 best that I have, and it was based on the fullest information
10 available and I understand that the new plan has no new infor-
11 mation. It is only a question of judgment in its difference.

12 I think you could study forever, Mr. Tucker, but I
13 do think that the 1968 Plan is a rational reasonable one.

14 COUNCILMAN TUCKER: Just one more question, if I
15 might, Mr. Chairman.

16 You indicated that you believed that the principal
17 reason for the new roads is the availability of funds, the
18 dollar is what you said. Do you, therefore, this being true
19 still support the new roads as proposed in the 1968 Plan?

20 MRS. ROWE: I am supporting the 1968 Plan.

21 COUNCILMAN TUCKER: So you do believe that some
22 roads are needed?

23 MRS. ROWE: I do believe that given the partial build-
24 that there is now and the lack of good mass transit that is
25 coming, I think that that 1968 Plan was a good workable,

1 reasonable plan.

2 COUNCILMAN TUCKER: Are you not -- you are not
3 unutterably opposed to freeways then?

4 MRS. ROWE: I don't welcome them. I don't think they
5 help the city, but I think perhaps in this case, the number of
6 freeways and parkways projected by the 1968 Plan would make a
7 workable transportation system with the Metro.

8 COUNCILMAN TUCKER: Thank you very much. Thank you,
9 Mr. Chairman.

10 COUNCILMAN MOORE: Councilman Hahn?

11 COUNCILMAN HAHN: Mrs. Rowe, we are very, very
12 pleased to have you here. I don't think there are many people
13 who can help us with as much advice as you can on your long
14 experience. And indeed, we respect you and pay you a good
15 deal of honor for all that you have done, and what you con-
16 tinue to do.

17 And in the sense that you are asking us to support
18 the 1968 Freeway Plan, the Thorofare Plan, as it is called, I
19 would like to go into some detail with you so that it is under-
20 stood what it is we are talking about.

21 As you established with the Vice Chairman, your
22 position isn't no freeways at all, is it?

23 MRS. ROWE: My position as I thought I made clear,
24 and I guess I didn't, was that this 1968 Thorofare Plan if they
25 could do the things that are needed for the city with a minimum

1 of destruction to the livability of the city.

2 COUNCILMAN HAHN: Just to put it in its proper frame
3 of reference, and I think these figures are accurate, and if
4 they are not, please let's correct it. As I understand it,
5 the 1968 Interstate System Cost Estimate which includes the
6 full measure of the roads we are talking about is a 29 mile
7 system of freeways. Actually, the system of freeways as
8 approved in the Planning Commission's Thoroughfare Plan includes
9 24 miles of the system, doesn't it?

10 MRS. ROWE: I believe it does.

11 COUNCILMAN HAHN: Now that includes, among other
12 things, and I see you have a copy of the elements of the plan
13 with you because I am going to refer to some of the pages in
14 it.

15 Looking at page 18 that follows the map, they have
16 one, two, three, four through seven descriptions of the various
17 elements; most of them freeways, as in the case of the Fallisades
18 Parkway and the Potomac River Expressway. The Trans-mall
19 connector, as I understand, we are now calling that the South
20 Leg, the central distributor which is now what we are calling
21 the North Leg, I believe; the Anacostia Parkway, the Industrial
22 Freeway which is the New York Avenue Industrial Highway -- I'm
23 sorry, it is the downtown distributor that is the North Leg,
24 the Central Distributor is the Center Leg; I am sorry.

25 Now actually, this version of the plan wsays

1 comprehensive studies should -- I am talking about the North
2 Leg, for instance -- comprehensive studies should be under-
3 taken as soon as possible in connection with planning for
4 downtown Washington now underway to determine the most feasi-
5 ble routes for major east-west traffic improvements in the
6 central area. Alternatives include a tunnel connecting the
7 E Street Expressway with downtown, a tunnel under K Street or
8 along such parallel arteries as L and M in the heart of the
9 central Office area. One or more of these improvements is
10 regarded as essential for the efficient operation of the central
11 business district; one of the fastest growing and most viable
12 central areas in the country.

13 That is the reference, is it not, in the 1968
14 Thoroughfare Plan, to the North Leg?

15 MRS. ROWE: Yes.

16 COUNCILMAN HAHN: Now the Trans-Mall Expressway that
17 is referred to, that is the tunnel that is shown here. That
18 is, I believe, that is alternate B, is it, and the two free
19 plans for the South? Plan --

20 MRS. ROWE: I believe so.

21 COUNCILMAN HAHN: That is also the one that is on the
22 1968 Interstate System Cost Estimate.

23 Now, then in going further with this plan, it talks
24 about entrances into the city; actually while the plan says no
25 new entrances, it does contain this passage. In the so-called

1 appendix 1, which is found on page 34, I think, of the copy you
2 have, it says the freeway system assumed in the plan and six
3 lanes to those existing are under construction entering the
4 central area. Do you have place?

5 MRS. ROWE: Yes.

6 COUNCILMAN HAHN: In the third paragraph from the top
7 of the page on page 34.

8 MRS. ROWE: Yes, I have it.

9 COUNCILMAN HAHN: It says three lanes on the Indus-
10 trial Freeway, one on the Potomac River Expressway, two on the
11 Anacostia Parkway, these lanes would add capacity for another
12 9700 vehicles an hour. So that the total capacity of the free-
13 way entering the central area would be 39,700 cars.

14 Now, I don't want to go too far with this, except
15 that it is a matter of degree, isn't it? We need a certain
16 amount of freeways. The plan that you support goes on to say,
17 I believe, there are five exits and five entrances existing
18 then across each of the two rivers, and fifteen coming in now
19 from the Maryland side. And you go on to discuss -- that is
20 your successors go on to discuss primary arterials and second-
21 ary arterials so that this is a way, the way that is recommend-
22 ed is that, if I remember the exact language, that interstate
23 travelers use the same road system as commuters use to get
24 in and out of the center city after they have reached the
25 Beltway.

1 MRS. ROWE: Hopefully, if they are interested, they
2 will take the Beltway, Mr. Hahn.

3 COUNCILMAN HAHN: Yes, if they are going around, you
4 say you hope they will take the Beltway. Indeed, that is what
5 you say, but that in changing from interstate travelers to
6 coming into the city was used. Now, so again, this is a matter
7 of degree, isn't it, really?

8 MRS. ROWE: Yes.

9 COUNCILMAN HAHN: Now one other question I would like
10 to ask about, and that is your attitude toward this problem
11 that I have asked some of the other witnesses. And that is,
12 what is your reaction toward arterials?

13 Now, by an arterial, we both know we mean something
14 like 13th Street which at the rush hour is one-way traffic,
15 very heavily traveled that creates air, noise, pollution pro-
16 blems, indeed, one that is in many ways more destructive as
17 it exists than a freeway.

18 MRS. ROWE: I don't agree with you on that.

19 COUNCILMAN HAHN: You don't agree with me.

20 MRS. ROWE: Because between rush hours, even during
21 rush hours, with the light, you can cross 13th Street. If you
22 happen to live on the west side of 13th and your children go
23 to school on the east side, they can with the light, go to
24 school. During the off-rush hours, it is still a whole
25 neighborhood. If on 13th Street on the surface as it is, you

1 had a freeway, you would have severed the neighborhood connec-
2 tion. This plan suggests that further study of the use of
3 arterials be made; hopefully, there will be increasing useage
4 by some of the people who presently use 13th Street and the
5 Metro when it is established. I don't believe that anyone
6 coming in on 13th Street or 16th that far west would go over
7 to use the North Central Freeway, and thereby relieve the pres-
8 sure back and forth on those streets.

9 COUNCILMAN HAHN: Well, you urge in the plan, if I
10 interpolate it or your successors urged in the plan if I can
11 interpolate it a little, and of course, the City Council
12 adopted this same plan, so we urge by interpolation that traffic
13 to I-95 use the increased capacity that would be created on
14 New York Avenue. That north-south traffic come down the
15 north-south secondary and primary arterials, 16th Street, 13th
16 Street, 15th Street, and we suggest together that where these
17 streets are not adequate that we can do more by increasing
18 the traffic on them with certain kinds of traffic controls,
19 light regulations, limited access, that sort of thing.

20 That is the sum and substance of the recommendation.
21 Now, do you have any different feeling about that as a policy,
22 as you have had a chance to see it develop?

23 MRS. ROWE: No. I would like -- of course, techno-
24 logy what it is in the years to come we may have quite differ-
25 ent ways of getting around.

1 COUNCILMAN HAHN: Thank you very much.

2 COUNCILMAN MOORE: Councilman Shackleton?

3 COUNCILWOMAN SHACKLETON: Mrs. Rowe, it is a pleasure
4 to have you here tonight, and I'm always very happy to be here.

5 One thing, picking up on what Chairman Hahn has just
6 said when we discuss 13th Street and some of these other streets,
7 we are -- I think there is, is there not, a difference in that
8 when you have a freeway, the freeway has to conform to certain
9 interstate standards. Would you describe what an inter-city
10 freeway has to do?

11 MRS. ROWE: Well, I think you probably asked the
12 wrong person. I think Mr. Harris ought to tell us just what
13 is required, but it does require the low capacity that would
14 meet interstate trucks. It does require construction to allow
15 for certain speeds as well as certain loads, but the details
16 of the design, you can ask the wrong person.

17 COUNCILWOMAN SHACKLETON: Well, in other words, I
18 think that --

19 MRS. ROWE: Besides the limited access, I mean.

20 COUNCILWOMAN SHACKLETON: Well, for instance, when
21 you are talking about 13th Street and 14th Street, improving
22 some of these streets, this does not mean they will have
23 trucks limited to 65 miles an hour which seems to me the
24 difference between a freeway.

25 MRS. ROWE: Well, I don't think that is anticipated

1 at all. It is a reflection, really, of the present situation.
2 I thought that that is what Mr. Hahn and I were talking about.
3 Certainly not to set these for interstate truck travel or
4 interstate speeds or to make them into limited access streets;
5 I mean these are city streets that are used extensively parti-
6 cularly at the rush hour to get people to and from work.

7 COUNCILWOMAN SHACKLETON: Well, I think that is the
8 requirement is maybe what the difference is.

9 On the question of the South Leg, I recall that under
10 the PAC Agreement that the Fine Arts Commission and the Planning
11 Commission wanted the tunnel, is that right?

12 MRS. ROWE: That is right. I really find it
13 appalling that this new open-trench design is being supported,
14 I understand by the Park Service as well as the D. C. Highway
15 Department, and they are using as one of the reasons opposition
16 to an earlier tunnel plan presented to the Fine Arts Commis-
17 sion. Now that plan showed great big stacks which certainly
18 don't add to the beauty and serenity of the area, but those
19 stacks, I understand from the best engineering advice, aren't
20 necessary. The stacks don't have to be immediately over the
21 tunnel. They can be at some distance away; they don't have
22 to be of that height.

23 The tunnel that we have heard described as the longest
24 proposed tunnel in the world. Well, for goodness sakes, the
25 Alps are tunneled, the Hudson River is tunneled, there are all

1 kinds of tunnels that are much longer. I don't know why with
2 engineering abilities so great and ingenuity so great that
3 this isn't a fairly simple proposition to put a tunnel in
4 and hide it.

5 COUNCILWOMAN SHACKLETON: Well, I must say that I
6 am kind of interested in the fact that although we have had the
7 word from the Highway Department that the Fine Arts Commis=
8 sion has certain objections, we have not heard anything from
9 the Fine Arts Commission about this mall. And I would suggest,
10 Mr. Chairman, that it might be appropriate to invite the Fine
11 Arts Commission to come down here and comment on this itself,
12 whoever the Chairman would like to designate. Because, to my
13 knowledge, we have not had any specific recommendation of
14 this sort from the Fine Arts Commission itself.

15 And if they do come, I think we might ask what the --
16 why the change in their previous testimony in previous agree-
17 ments that were signed and sealed.

18 COUNCILMAN HAHN: We did have a witness Friday who
19 said that those towers weren't obsolete.

20 COUNCILWOMAN SHACKLETON: Was this from the Fine Arts
21 Commission?

22 COUNCILMAN HAHN: No, it was one of the architects
23 who testified.

24 COUNCILWOMAN SHACKLETON: No, I was speaking -- we
25 have been told by our Highway Department, the Fine Arts

1 Commission desires the change in the South Leg, and I would
2 think it appropriate to hear directly from them, and then ques-
3 tion them as to why, after all these years, suddenly they
4 created this desired change. Because the facts have always
5 been out on the table, and I think this is due.

6 On the North Leg, Mrs. Rowe, I believe that the
7 Planning Commission -- that your top priority was always for
8 a tunnel on K Street, was it not, at the time you were Chairman
9 that these matters came up.

10 MRS. ROWE: During the time that I was Chairman, this
11 was a suggestion, and again, it is in this Thoroughfare Plan.
12 The old proposed North Leg in the Florida Avenue, U Street
13 corridor would have been the most destructive of any of the
14 elements of any of the proposed freeways; more destructive
15 even than the North Central in terms of living and neighbor-
16 hoods, businesses, the whole fabric of the city.

17 COUNCILWOMAN SHACKLETON: Do you believe that it
18 might be useful to again restudy this North Leg and look into
19 this whole feasibility of the K Street Underpass or tunnel
20 versus this alternate?

21 MRS. ROWE: Well, this is suggested in the Thorough
22 Report, and I think it might be done. I mean it is rather
23 open-ended what you study, but it does not go any farther
24 north than M Street, the suggestion that the area be studied.

25 COUNCILWOMAN SHACKLETON: But inasmuch as no one

1 has really come up a definitive plan -- I know the K Street
2 tunnel has been great objection to it on the part of business
3 people. Would you agree then in fact it might be useful to
4 go along with this routine month study request for the study?

5 MRS. ROWE: I would. I would limit it, rule out
6 the old corridor to start with rather than leaving it open to
7 any place north of Pennsylvania Avenue.

8 COUNCILWOMAN SHACKLETON: You mean you would stay off
9 the North Leg?

10 MRS. ROWE: No, I would eliminate -- this is a per-
11 sonal feeling of mine. I would eliminate the old Florida
12 Avenue, U Street -- well, P Street, M Street north. The study
13 here is M Street south rather than -- I would eliminate. This
14 is my own personal view.

15 COUNCILWOMAN SHACKLETON: Thanks.

16 COUNCILMAN MOORE: Councilman Anderson?

17 COUNCILMAN ANDERSON: No questions.

18 COUNCILMAN MOORE: Councilman Haywood?

19 COUNCILWOMAN HAYWOOD: Thank you, Mr. Chairman.

20 Mrs. Rowe, I would like to add my welcome to you,
21 and say too that I am very happy to see you here.

22 The question I want to ask you is one which you may
23 not have an answer to. I think maybe nobody does, but I have
24 to ask it. It's, I think, easy to say to the City Council
25 that it must vote its conscience, but do you have any advice

1 to the City Council as how it should go about making the pre-
2 sentation which you suggest and what the legal ramifications
3 would be if the Congress did not accept that?

4 MRS. ROWE: I am afraid I don't have an answer. I
5 do think you are the nearest thing we have in this non-voting
6 community to the representative legislative body. And I do
7 think that if you take the feel of the community, you know
8 pretty well what it is and I think you vote what you think the
9 community wants.

10 COUNCILWOMAN HAYWOOD: Well, I think Congress knows
11 that too.

12 MRS. ROWE: And using your own judgment, but I have
13 nothing further to add.

14 COUNCILWOMAN HAYWOOD: Thank you.

15 COUNCILMAN MOORE: Councilman Robinson?

16 COUNCILMAN ROBINSON: Mrs. Rowe, isn't it true that
17 the recommended freeway parking network plan of December 1968,
18 would dislocate less people, businesses and houses than the
19 recommended Highway Traffic Plan now?

20 MRS. ROWE: Oh, yes, Dr. Robinson.

21 COUNCILMAN ROBINSON: Thank you.

22 COUNCILMAN MOORE: Thank you, Mrs. Rowe. You have
23 had very fine testimony. We appreciate it.

24 MRS. ROWE: It's been a pleasure to be here. Thank
25 you very much.

1 (Applause.)

2 COUNCILMAN MOORE: Mr. John Crocker, D. C. Relocation
3 Advisory Board. Mr. Crocker, we are very pleased to welcome
4 you to testify here tonight.

5 TESTIMONY OF

6 JOHN CROCKER

7 D. C. RELOCATION ADVISORY COMMITTEE

8 MR. CROCKER: Thank you very much, Reverend Moore.

9 Mr. Chairman, Council Members, ladies and gentlemen.

10 My name is John Crocker, and I am a D. C. employee
11 in the Mayor's Housing Program Office. My purpose is to dis-
12 cuss the relocation process for persons dislocated by govern-
13 mental action. The reason I was asked to make this statement
14 is that I am Chairman of the D. C. Relocation Advisory Committee
15 which is responsible for coordinating and scheduling reloca-
16 tion for all public projects in the District. The committee
17 has representatives on it of all displacing agencies of the
18 District and Federal Governments, the Redevelopment Land Agency,
19 National Capital Planning Commission, National Capital Housing
20 Authority, Washington Metropolitan Area Transit Authority and
21 the General Services Administration.

22 In order that the relocation process can function in
23 an orderly manner it is necessary to schedule acquisition.
24 Scheduling must take into consideration that relocation housing
25 is not the only limited resource in the process. Review and

1 adjustment of priorities is a continuing process at the monthly
2 relocation advisory committee meetings, the objective being to
3 keep the relocation load flowing smoothly and to meet deadlines
4 set by participating departments and agencies. These deadlines
5 do not always conform to the agencies' hopes, but are accepted
6 in the context of a reliable city-wide relocation program with
7 all agencies cooperating.

8 Because of various legislative provisions, both local
9 and federal, the Central Relocation Office operates six
10 relocation services which differ in benefits and types of
11 assistance. Under legislation passed in 1968, Relocation
12 services and benefits offered to those displaced by interstate
13 highway projects are excellent and approximate those offered
14 in the Urban Renewal Program. Persons displaced by other
15 public works projects are offered much less. This inequality
16 may be rectified by passage of the Muskie Bill, or passage
17 of legislation which the District has submitted to the Bureau
18 of the Budget.

19 I am not prepared to discuss the relocation by numbers
20 of families and persons that may be dislocated by the proposed
21 freeways. If you recall Mr. Airis' statement, a minor change
22 in alignment reduced the family and industrial relocation
23 significantly. In addition, at this point, relocation needs
24 are estimated from information from the Assessors Office,
25 census data, city directories, public utilities and other

1 basic sources of information.

2 Actual contact with families and individuals to
3 ascertain family size and composition, economic status and
4 preference for geographical location is not made until owners
5 and occupants have been notified by mail that the District is
6 considering purchasing the property and that they may expect
7 appraisers and other officials to conduct studies of the
8 property. The information turned up at this time is the
9 first "hard" data we have on a project regarding relocation.
10 However, the correlation of the field findings and preliminary
11 estimates is good.

12 In regard to the relocation of persons from the
13 freeway projects, I am confident that this can be done given
14 reasonable deadlines. I expect that relocation of the sub-
15 stantial industrial and commercial facilities along the North
16 Central Freeway will be a much greater problem and time con-
17 sumer than the relocation of families and individuals.

18 It has been the District Government's policy for
19 several years not to evict families or individuals unless
20 decent, safe and sanitary housing at prices which they can
21 afford and in locations convenient to their work have been
22 offered. Usually, more than one location and normally at
23 least four have been offered. The success of this policy is
24 indicated by the fact that the District has not had to carry
25 the eviction process clear through in more than three years.

1 It has, however, been necessary to resort to temporary reloca-
2 tion for both families and individuals from time to time.
3 Neither families or individuals suffered monetary loss from
4 temporary relocation.

5 The present annual relocation load, excluding busi-
6 nesses, is approximately 1,000 families and individuals. It
7 is estimated that 1,500 can be handled successfully.

8 I thank you for this opportunity to testify and will
9 attempt to answer any questions you may have.

10 COUNCILMAN MOORE: Thank you, Mr. Crocker, for your
11 testimony. I would like to ask you if you would say just a
12 word about what services and benefits are offered to displaced
13 persons along the Interstate Highway Projects.

14 MR. CROCKER: Well, we get what we call relocation
15 services which means referral of units to them, even to the
16 extent of loading them up in a stationwagon and taking them
17 out and showing them units.

18 VOICE: You can look at the classified section.

19 MR. CROCKER: They get relocation payments. That is
20 the cost of their move, and in the Highway Program, they have
21 a special feature which is called the dislocation allowance.
22 That is \$100 that is given to them at the time they move. You
23 know, they need new curtains and other things, and that is the
24 only program that has this feature.

25 There is the housing replacement payment which means

1 that under certain circumstances, the Government may pay up
2 to \$5,000 more than the fair market value of the property if
3 it is necessary to have that additional money to get replace-
4 ment housing. That one feature is also shared in the Urban
5 Renewal Program.

6 Then also there is a feature where renters can have
7 their rent supplemented where their rent is going to be more
8 than 25 percent of their gross income. For a period of two
9 years, the rent can be supplemented by the Government.

10 VOICE: Ask him how many units have been under that
11 program, ask him how many units.

12 COUNCILMAN MOORE: Now, down at the bottom of page
13 3 of your testimony, there is something that looks like a little
14 formula on which an individual might get his pay; for instance,
15 information from the Assessors Office, census data, city
16 directories, public utilities and other basic sources of infor-
17 mation.

18 Now after you have gone over this data, how does it
19 relate to the cost of living?

20 MR. CROCKER: You have got me, Reverend Moore. I
21 don't have an answer for that one. This is to determine the
22 number of dwelling units, the approximate size of the dwelling
23 units and the level of income generally of the people. It
24 isn't to go nose by nose, but to come up with a broad estimate.

25 Then later on, when you get to visiting the people,

1 and actually getting the information from individuals, then
2 you come up with the individual family data. Prior to that
3 time, you had a cross-section data.

4 COUNCILMAN MOORE: It is rather possible then that
5 some of these families could sustain rather substantial losses,
6 would that be true?

7 MR. CROCKER: Are you referring to tenants or owner-
8 occupants?

9 COUNCILMAN MOORE: Makes no difference whether it's
10 a tenant or a home owner; if you took a cross of home averages,
11 as you indicated here on a line, that with the cost of living
12 as it runs on the index right now, I am asking you wouldn't it
13 be possible that a person would sustain an economic loss?

14 MR. CROCKER: I would suspect that it would be, yes.

15 COUNCILMAN MOORE: This is what I was asking you.

16 Now you have been in this business of relocating
17 people from other areas, I take it?

18 MR. CROCKER: Yes, sir.

19 COUNCILMAN MOORE: Would you care to indicate some
20 of your experience in regards to the satisfaction of indivi-
21 duals who have passed through this relocation problem?

22 MR. CROCKER: There was a report published a few
23 years ago by a Professor at the University of Maryland called,
24 "Where Are They Now?", which is a study ten years later of a
25 group of families that had been moved from southwest --

1 VOICE: Tell us about the rest of the people from the
2 southwest?

3 COUNCILMAN MOORE: Just a minute. Now the Chair will
4 be reasonable. He also expects the audience to be reasonable,
5 and I think we can work together on a reasonable and understand-
6 ing basis.

7 VOICE: He answers like idiots; he's giving us a
8 bunch of bull.

9 COUNCILMAN MOORE: May I indicate here, I would
10 regret very much having to ask the Sergeant-at-Arms to restore
11 order to the Chamber. This is really the last measure that the
12 chair would like to use, and if the Chair is forced to do, he
13 will. Don't mistake my soft voice for weakness.

14 Now, will the witness proceed.

15 MR. CROCKER: The conclusions of that study were
16 generally that the people were living in better housing than
17 they had been living in in southwest. That, generally, their
18 income was somewhat higher, but they had not made friends in
19 the neighborhood, and they felt regret at having been separated
20 from their neighborhood associations that they had had in
21 southwest.

22 COUNCILMAN MOORE: Thank you very much for the infor-
23 mation. Vice Chairman Tucker?

24 COUNCILMAN TUCKER: Mr. Crocker, do you think there
25 is a housing shortage in Washington?

1 MR. CROCKER: The Council reported that there was
2 a housing crisis in Washington, Mr. Tucker.

3 VOICE: Yeah, but he asked you, he asked you.

4 MR. CROCKER: It is hard to reconcile several
5 thousand individual neighborhood units in the city with the
6 housing shortage, but I do believe that we have a housing
7 shortage, probably due somewhat to the vacant and vandalized
8 units.

9 COUNCILMAN TUCKER: What level of income groups gener-
10 ally get dislocated in public programs and public works, Mr.
11 Crocker?

12 MR. CROCKER: That is a generalization that I
13 wouldn't be willing to try to make because we build schools in
14 all sectors of the city, and you build fire stations and police
15 stations and so on in all sections of the city.

16 COUNCILMAN TUCKER: Well, I made a question; I didn't
17 make a generalization. The question I asked you was specific.

18 MR. CROCKER: Well, I said I didn't want to make a
19 generalization.

20 COUNCILMAN TUCKER: If there is a housing shortage
21 in what income group is it, generally, Mr. Crocker, would you
22 say?

23 MR. CROCKER: I would say in the low and low moderate
24 income group.

25 COUNCILMAN TUCKER: Would you say there is more

1 dislocation in low and moderate income in road programs than
2 in incomes of middle and upper income groups?

3 MR. CROCKER: Yes.

4 COUNCILMAN TUCKER: Those are the kind of people
5 then, the income groups, that you would have the responsibility
6 for primarily under the freeway program for relocating, is that
7 correct?

8 MR. CROCKER: That's correct.

9 COUNCILMAN TUCKER: You spoke of rent supplements.
10 How large is the rent supplement program in the District of
11 Columbia?

12 MR. CROCKER: There are several of them. One operated
13 by the -- oh, you mean, under?

14 COUNCILMAN TUCKER: How much money is available here,
15 like in 1969 for the rent supplement program in the District of
16 Columbia?

17 MR. CROCKER: The rent supplement comes out of pro-
18 ject cost in all cases. It isn't a budgeted item, and you
19 couldn't identify it as a budgeted item.

20 COUNCILMAN TUCKER: I don't agree. You know how
21 many dollars we spend on rent, the rent supplement program
22 for rent supplement?

23 MR. CROCKER: Well, we haven't had any highway
24 relocation in several years, and I am not familiar with what
25 the Redevelopment Land Agency has done in the Shaw area which

1 is the only area in which there would be any rent supplement
2 because that was started after the new law came through.

3 COUNCILMAN TUCKER: Then you are not really qualified
4 to testify on the adequacy of rent supplements, are you, Mr.
5 Crocker?

6 MR. CROCKER: No, I am not.

7 COUNCILMAN TUCKER: You did that, did you not?

8 MR. CROCKER: I testified as to the amount that was
9 available to a family.

10 COUNCILMAN TUCKER: Your testimony would lead us to
11 believe that there is a substantial program available for
12 dislocation, for persons dislocated. Now do you believe this
13 program is substantial, and if so, can you give any indication
14 as to the size of this program?

15 MR. CROCKER: For the Highway Program, I would think
16 that the only limitation would be on how many people needed
17 it.

18 COUNCILMAN TUCKER: You mean there is an unlimited
19 supply of rent supplement and money available?

20 MR. CROCKER: As I understand it, they come out of
21 project costs and it isn't a budgeted item.

22 COUNCILMAN TUCKER: You mentioned that no one had to
23 be evicted in the past three years under relocation. I believe
24 you testified to that effect.

25 MR. CROCKER: Yes, sir.

1 COUNCILMAN TUCKER: Do you or are you aware that many
2 people have been practically bull-dozed out of the neighbor-
3 hoods?

4 Let me give you one case: In Northwest One where
5 they have been trying to encourage -- this is a couple of
6 years ago, under the present leadership of the Redevelopment
7 Land Agency, they were trying to encourage people to move on
8 their own because of the normal problems of relocation, and
9 there are problems of relocation. Aren't there? It's not an
10 easy job, is it, Mr. Crocker?

11 MR. CROCKER: I agree it's not an easy job.

12 COUNCILMAN TUCKER: And they encourage people as much
13 as possible to move on their own, don't they?

14 MR. CROCKER: Yes, sir.

15 COUNCILMAN TUCKER: And sometimes they try to speed
16 them up in order to maintain timeliness, don't they?

17 MR. CROCKER: Yes, sir.

18 COUNCILMAN TUCKER: And so everyone who needs help
19 doesn't get help, isn't that true, Mr. Crocker?

20 MR. CROCKER: Exactly; it's true.

21 COUNCILMAN TUCKER: So there is a real problem in
22 relocation, isn't there?

23 MR. CROCKER: Yes, definitely.

24 COUNCILMAN TUCKER: And it imposes hardships beyond
25 the supports that are provided by law, isn't that true?

1 MR. CROCKER: I agree.

2 COUNCILMAN TUCKER: And relocation is bad and diffi-
3 cult even what it is being replaced with new housing because
4 when it's being replaced with roads, it might even be worse,
5 isn't that true, Mr. Crocker?

6 MR. CROCKER: Well, to me, anybody that is dislocated
7 by governmental action has the same problems to face.

8 COUNCILMAN TUCKER: I have no further questions.

9 COUNCILMAN HAHN: No questions.

10 COUNCILMAN MOORE: Councilman Shackleton?

11 COUNCILWOMAN SHACKLETON: Mr. Crocker, I know in this
12 question of housing that you have the same feelings of sympathy
13 that we do here, and that I think that as you have expressed,
14 you have more or less stated that left to your own resources,
15 you would like to see these people moved out.

16 But, I am talking now about -- you say that you think
17 that the housing can be done in reasonable deadlines, but you
18 say that you expect the relocation of substantial industrial
19 and commercial facilities along the North Central Freeway
20 will be a much greater problem. Do you see any future to that?
21 What is the correction that could be done? Granted, finding
22 housing is difficult enough, but what is the future for small
23 businesses and industrial operations along the North Central
24 Freeway? Do you see any?

25 MR. CROCKER: In my opinion, I haven't contacted

1 them. This is purely a personal opinion is that most of them
2 will probably move out to the Beltway except one large firm,
3 I know, wants to move to central Ohio.

4 (Laughter.)

5 COUNCILWOMAN SHACKLETON: So the District would then
6 suffer through loss of employment opportunities which we
7 very much need in this city?

8 MR. CROCKER: And business taxation.

9 COUNCILWOMAN SHACKLETON: And in taxes and so forth,
10 so that all this jazz about the highways being good for the
11 business health of the city, there may be some counter balance
12 about the losses of existing businesses that are involved
13 that would move out.

14 MR. CROCKER: Yes, it would certainly erode the
15 tax base; there's no question about that.

16 COUNCILWOMAN SHACKLETON: Thank you.

17 COUNCILMAN MOORE: Councilman Anderson?

18 COUNCILMAN ANDERSON: Mr. Crocker, I know that you
19 have been at this relocation business for a good bit of time
20 and you have got a lot of experience in it. And I would like
21 to know, under your relocation plan, if a couple or an indivi-
22 dual had a mortgage which was four and a half or five percent
23 mortgage, and then he was relocated, he would be faced with
24 a seven and a half or eight percent mortgage or better. Who
25 would pay the difference?

1 MR. CROCKER: The individual would, unfortunately.
2 I wish we had a better solution than that. Now under the
3 Highway Act, I believe that you could give the man some addi-
4 tive. In other words, reduce his mortgage by giving him some
5 or all of the \$5,000 more than fair market value. In other
6 words, reduce the amount of mortgage. Whether this would make
7 up for the total amount of interest, I don't know. It would
8 depend on each individual case.

9 COUNCILMAN ANDERSON: Well, you said it would make
10 up -- well, what would be the difference on a mortgage, say,
11 of \$14-\$15,000 home at 4-1/2 percent and 5 percent and 8?

12 MR. CROCKER: I'm not a mathematical wizard; I
13 couldn't tell you that off-hand.

14 COUNCILMAN ANDERSON: Approximately, maybe?

15 MR. CROCKER: I couldn't tell you. I don't know. I
16 wouldn't want to guess.

17 COUNCILMAN ANDERSON: Have you been doing any reloca-
18 tion lately where people had to change mortgages over?

19 MR. CROCKER: No, nobody has been relocated since
20 the 1969 Highway Act in the Highway Program because there
21 hasn't been any land purchases. So we haven't had any
22 experience. I have been to some meetings with people from
23 other states, and they tell me with the \$5,000 additive what
24 happens is, the market value of houses all go up automatically
25 \$5,000 and everybody gets the \$5,000 additive.

1 COUNCILMAN ANDERSON: No further questions.

2 COUNCILMAN MOORE: Councilman Haywood?

3 COUNCILWOMAN HAYWOOD: Thank you, Mr. Chairman.

4 Mr. Crocker, how long have you had the provision
5 whereby this \$5,000 over and above the fair market value has
6 been available?

7 MR. CROCKER: It was in the Federal Aid Highway Act
8 of 1968, and in the National Housing Legislation that was
9 passed the same year.

10 COUNCILWOMAN HAYWOOD: And if the question of the
11 necessity for assuming a mortgage at a higher rate of interest
12 practically double were to arise, and a part of this up to
13 \$5,000 were given as a possible answer to that, we are still
14 not dealing with the possible equity in the situation, are we?

15 MR. CROCKER: That is correct. I think there are
16 definite deficiencies in much of our relocation legislation;
17 some have been corrected, but there are still a number of
18 definite deficiencies. And the Muskie Bill which I mentioned,
19 that is S1 in the Senate, hopefully is going to correct some
20 of these deficiencies.

21 COUNCILWOMAN HAYWOOD: Now moving to another point,
22 at the bottom of page 3 and the top of page 4 of your testimony,
23 you are discussing the fact that actual contact with families
24 and business of getting down to specifics on family size and
25 composition and economic status and preference for geographical

1 location are not gone into until such time as the District
2 notified the occupant by mail that the purchase of the property
3 is prospective, and that the homeowner can expect appraisers
4 and so.

5 What kind of time factor is involved here in terms
6 of when a family first knows that the taking of the home is
7 in prospect, and when that actually occurs?

E.D1,S2.
8 MR. CROCKER: Well, from the point of that letter
9 that I mentioned until actual offers are made for the home or
10 the structure would run about six or seven months, and then
11 the homeowner has or the owner of a structure has 30 days to
12 make up his mind whether he wants to negotiate or to go to
13 condemnation. And then, the negotiations would probably take
14 another month.

15 If it goes to condemnation, then the condemnation
16 suit has to be prepared which takes about six months before that
17 that is filed.

18 COUNCILWOMAN HAYWOOD: In other words, from the time
19 it is filed until there is a hearing, you mean it takes about
20 six months?

21 MR. CROCKER: No, it takes about six months for our
22 real estate people to prepare a suit for filing, and then you
23 know we wait quite awhile before we have a jury due and so
24 on. When you go down the condemnation route, it is consider-
25 ably longer than if it was straight negotiations.

1 COUNCILWOMAN HAYWOOD: Thank you.

2 COUNCILMAN MOORE: Councilman Robinson?

3 COUNCILMAN ROBINSON: Mr. Crocker, how long has the
4 D. C. Relocation Advisory Committee been in business?

5 THE CROCKER: I think we were set up in 1965, if I
6 remember correctly, Mr. Robinson.

7 COUNCILMAN ROBINSON: Mr. Crocker, what about the
8 families that have been displaced in the inter-city above
9 North Capital, L and M? Have they received sufficient housing?

10 MR. CROCKER: That have been displaced by urban
11 renewal?

12 COUNCILMAN ROBINSON: Yes. Well, some of it is
13 supposed to be for industrial -- the area down near Alexander
14 High School, that area there. You see both those areas, the
15 houses boarded up, some of them haven't been torn down, but
16 there's about one person living on a block. Have those people
17 been relocated?

18 MR. CROCKER: That is in the lower -- in the 14th
19 Street area?

20 COUNCILMAN ROBINSON: No, no. North Capital, L and
21 M.

22 COUNCILWOMAN SHACKLETON: Northwest One.

23 MR. CROCKER: Oh, that's in Northwest One. Those
24 people have a priority to return to the housing that is being
25 built in Northwest One. Many of them have returned to the

1 housing that was -- well, the first project that is being
2 completed and it is now being occupied in that corridor.

3 COUNCILMAN ROBINSON: Sibley Plaza was first, wasn't
4 it?

5 MR. CROCKER: Sibley Plaza was a public housing
6 first and then Session Corridor was the second, and there are
7 three more planned. And the housing in that area is one
8 project; public housing and the rest of it is moderate income
9 housing that is financed through FHA.

10 COUNCILMAN ROBINSON: Where are the other people
11 that haven't been relocated?

12 MR. CROCKER: Some of them are still in the area,
13 some of them have moved outside of the area, but they have a
14 priority to return to the area if they wish.

15 COUNCILMAN ROBINSON: Now is it not true that the
16 people who dislocated from southwest were moved in -- were they
17 the families? I know out at Brockton where there were single-
18 family houses, these people through no fault of their own had
19 to move in with their relatives, friends making 12 to 15
20 people in a home, and causing overcrowding, and I understand
21 that the Bureau of Inspections has been very lenient with the
22 houses they are seeing because if they did bear down, these
23 people would be dispossessed. So what has happened there?
24 The same thing has happened to these people when the highway
25 displaces them. You said that most of these people in

1 southwest have decent homes. I know that not to be a fact,
2 sir.

3 MR. CROCKER: The only information that I have is
4 that publication that I mentioned, Mr. Robinson, and I don't
5 have any other.

6 COUNCILMAN ROBINSON: Well, I happen to live in the
7 Brookland area, and I have to pass through every day. I have
8 been out there 17 years. When I first lived there, there were
9 individual well-kept houses.

10 (Applause.)

11 And these people through no fault of their own, they
12 couldn't find decent housing. They had to move in, they
13 couldn't stay in the street and houses went down creating
14 similar slums. See what I'm getting at? I know that you have
15 a job to do, sir, as well as the City Council, but I want to
16 know what is being done for these people who are being relocated.

17 Are you going to bulldoze the North Central Freeway?
18 Are you going to take a hundred and something families? If
19 it is passed, where are these people going, I mean decent
20 housing comparable to what they are already in?

21 MR. CROCKER: Well, we are in better shape for
22 housing, for new housing than we were at the time in southwest
23 because at that time there were no programs such as the
24 221(d)(3) and the 235 and the 236 and the other programs that
25 we have now where housing can be built with very good

1 financing or to rent at much more reasonable rents.

2 COUNCILMAN ROBINSON: Thank you, sir.

3 COUNCILMAN MOORE: Thank you very much, Mr. Crocker.

4 Your testimony has been very helpful.

5 MR. CROCKER: Thank you.

6 COUNCILMAN MOORE: Dr. Daniel Fisher. Dr. Fisher,

7 we are very pleased to have you here today.

8 TESTIMONY OF

9 DR. DANIEL B. FISHER

10 CITIZEN

11 DR. FISHER: Thank you, Chairman Moore, Chairman

12 Hahn and Members of the D. C. Council.

13 Thank you for the opportunity to appear before you
14 tonight. I am Daniel B. Fisher. I received my Ph.D. in
15 cancer research at the University of Wisconsin and am presently
16 engaged in biochemical research at the National Institute of
17 Mental Health. I am a member of the Metropolitan Washington
18 Coalition for Clean Air.

19 Air pollution is now recognized as a major health
20 hazard in our cities. Our 100 million motor vehicles pour out
21 86 million tons of air pollution a year. This represents 61
22 percent of the total air pollutants. See this on Table 1. In
23 Washington, D. C., this percentage is even higher because the
24 car density of 5,000 cars per square mile is the country's
25 highest and because there is little industry. The Highway

1 Department, on page 24 of its Recommendations for a Freeway in
2 the Northern Sector leads us to believe this is not the case:

3 Pollutions comes from a variety of sources. From
4 chimneys of houses, apartments and office buildings. From
5 garbage dumps and sewage disposal plants. And so forth --
6 including from motor vehicles with internal combustion engines.

7 On page 53, of the same pamphlet, however, they
8 state, "In the Washington area, the U. S. Public Health Service
9 has estimated that three-fourths of the total air pollutants
10 come from motor vehicles." Thus, the Highway Department
11 reverses itself and admits the primacy of the motor vehicles in
12 producing air pollutants. I will demonstrate that in D. C.,
13 the levels of two major pollutants produced by motor vehicles,
14 carbon monoxide and nitrogen oxides, have already exceeded
15 the levels at which adverse health effects have been observed.

16 In order to protect human health, the motor vehicle
17 density must be decreased in D. C. This is the intention of
18 the Federal Government as stated in the Air Quality Act of
19 1967: "to protect and enhance the quality of the nation's air
20 resources so as to promote the public health and welfare and
21 the productive capacity of its population."

22 However, the D. C. Highway Department has recommended
23 30 miles of new freeways for D. C. Several witnesses have
24 predicted that these new highways will induce increased flow of
25 motor vehicle traffic to and from D. C. Such an increased

1 flow will inevitably lead to an increase in air pollution
2 beyond the already health-hazardous levels. As I will discuss
3 later, emission controls will not halt this rise. These con-
4 trols will help, but are meaningless without a concomitant
5 decrease in motor vehicle density.

6 I will now briefly review the adverse health effects
7 produced by motor vehicular pollutants at levels observed in
8 D. C. The lung is a primary target for the air pollutants
9 nitrogen oxide and ozone. As shown in Table III, the first
10 signs of lung damage are seen at the biochemical level. For
11 mice, even a few hours exposure to 1 part per million nitrogen
12 oxides produced extensive damage to lung lipids and proteins.
13 As shown on Table II, this level of nitrogen oxide has been
14 observed in Washington. More prolonged exposure to nitrogen
15 oxides produces damage to lung cilia. These cilia are vital for
16 the removal of airborne bacteria and dust from the lungs. Thus,
17 destruction of these cilia leads to increased incidences of
18 pneumonia, increased concentrations of particulate pollutants
19 and increased congestion. Lung conditions such as asthma,
20 bronchitis, and emphysema are greatly aggravated by air pollu-
21 tion. Indeed, emphysema has been experimentally induced in
22 mice by prolonged exposure to nitrogen dioxide.

23 The components of motor vehicle exhaust are primarily
24 responsible for photochemical smog. Nitric oxide when irra-
25 diated with sunlight gives rise to nascent oxygen. This is a

1 highly reactive form of oxygen and can react with molecular
2 oxygen to yield ozone, or with hydrocarbons to give peroxyacyl-
3 nitrate or PAN: These photo chemical products are powerful
4 oxidants and cause eye irritation; crop damage, rubber crack-
5 ing, and lung disorders. Before D. C. builds more freeways,
6 she should carefully consider the case of Los Angeles. Los
7 Angeles is strangling herself in the smog arising from the
8 millions of freeway-bound motorists. The conditions have
9 become so severe in L. A. that, for health protection, school
10 children are not allowed to exercise out-of-doors on bad smog
11 days. D. C. could well experience this difficulty if new
12 freeways are constructed.

13 Furthermore, I make mention, and I will come to this
14 that L.A. has attempted various ignition control devices and
15 found them to simply not be adequate. Instead, they have
16 turned now to a much more radical means, namely, attempting
17 to ban the internal combustion engine completely. They are
18 running up against a great deal of resistance in this move.

19 Epidemiological studies have revealed an increased
20 incidence of lung cancer in individuals living in cities as
21 compared with those living in rural areas. It is likely that
22 motor vehicle exhaust has contributed to this increased inci-
23 dence of lung cancer since it has been demonstrated that tars
24 from motor vehicle exhaust are two times more carcinogenic than
25 cigarette smoke. Furthermore, it has been shown that a known

1 carcinogen, benzopyrene, is produced by cars at a rate of 350
2 micrograms per hour. Only 10 micrograms of this compound when
3 applied to lung tissue will produce lung cancer in mice. In
4 other words, 1/35th of the amount produced by one automobile
5 in one hour is all that is necessary to produce the incidents
6 of lung cancer with a hundred percent incidents in mice. I
7 emphasize this because lung cancer is, at this point, primarily
8 associated with cigarette smoking. However, as I mentioned,
9 epidemiological studies have shown by the two to three fold
10 increase in city dwellers at the same smoking level as compared
11 to rural dwellers.

12 Carbon monoxide represents 50 percent of all air
13 pollution; and as shown in Table I, motor vehicles are responsi-
14 ble for 93 percent of the carbon monoxide in our air. As
15 shown in Table II, levels of carbon monoxide as high as 40
16 parts per million have been observed in Washington. Indeed,
17 a level of 15 parts per million or greater has been recorded
18 one percent of the time. This level of carbon monoxide is far
19 above the four parts per million level which is correlated
20 with increased incidence of headaches, decreased probability
21 of survival for the victim of a heart attack. Ten parts per
22 million carbon monoxide impairs important central nervous
23 system functions such as judgment of time intervals, visual
24 perception, and alertness.

25 Parenthetically, I might mention the mechanism behind

1 this is that carbon monoxide competes at the sight of hemo-
2 globin in the dividing of oxygen. Very small decreases in
3 the oxygen carrying capacity of the blood as small as two
4 percent which are observed at 10 parts per million carbon
5 monoxide play a very large role in decreasing mental efficiency
6 because the brain consumes 20 percent of the body's total
7 oxygen supply. And particularly higher mental functions
8 involving judgment, reaction to emergency situations seem to
9 be affected first by any decrease in oxygen concentration such
10 as would be produced by carbon monoxide binding to the hemo-
11 globin. And carbon monoxide binds to hemoglobin 200 times more
12 strongly than oxygen.

13 In laboratory animals, carbon monoxide has been
14 shown to enhance atherosclerosis and impair heart function. On
15 the basis of these results a government panel has suggested 10
16 parts per million as the limit for carbon monoxide in our air.
17 We have already exceeded this limit more than one percent of
18 that time in D. C. That is with the traffic density as it is
19 right now. It should be pointed out that motorists are exposed
20 to much higher concentrations of carbon monoxides. In
21 Washington, it has been reported freeway drivers have been
22 exposed to 76 parts per million and drivers in the center-
23 city, drivers are exposed to 116 parts per million.

24 With these levels, it gets beyond the question of
25 small problems of perception and judgment. It becomes a

1 serious problem of vision and a serious problem in though
2 processes as well as an enhancement of all the biological
3 effects listed.

4 I have emphasized the health hazards of vehicular
5 pollutants. Since the South Leg is projected to pass near our
6 beloved cherry trees, I should mention that these pollutants
7 are even more damaging to plants. There is evidence that long-
8 term exposure to nitrogen dioxide at concentrations below one
9 parts per million may lead to growth suppression, and perhaps
10 premature abscission of leaves. A two-hour exposure to .05
11 to 0.1 parts per million ozone produces leaf lesions and tissue
12 destruction in tobacco, and reduction of flowering in petunias.

13 The prospect is a rather horrible one that with the
14 freeway passing within a relatively -- relatively close to our
15 cherry trees, we may have leafless and blossomless cherry trees.

16 Returning to page 24 of the Highway Department's
17 recommendations, we find the statement that, "on higher-speed
18 freeways, ...they, motor vehicles, burn the cleanest." Though
19 hydrocarbon and carbon monoxide content is lower at higher
20 speeds, a Public Health Service study showed that nitrogen
21 oxides are increased by 60 percent when the average speed was
22 raised from 24 to 45 miles per hour. The 60 percent is a
23 rather significant increase. When we get to the section on
24 emission controls, we will see that it is an intolerable
25 increase.

1 The Highway Department continues that "the way to
2 stop pollution produced by motor vehicles is by attacking the
3 cause: engine emissions." This is a necessary but far from
4 sufficient condition for reducing air pollution. First, as a
5 result of Washington's accelerating rate of population growth,
6 we can expect that if the present degree of motor vehicle use
7 continues, the number of cars in this area will double in the
8 next 20 years. The crankcase and exhaust emission controls,
9 which will be commercially available in the next 10 years, will
10 reduce carbon monoxide and hydrocarbon levels most optimisti-
11 cally by 60 percent. Adequate controls for nitrogen oxides
12 will not be available for that period. Thus, we can expect
13 that the levels of hydrocarbons and carbon monoxide will remain
14 constant due to growth of automobile density while nitrogen
15 oxides will increase at the rate of motor vehicle growth. In
16 order to reduce the level of these pollutants, we must reduce
17 the degree of use of motor vehicles.

18 Before discussing means of reducing the degree of
19 motor vehicle use, I will comment further on emission controls.
20 I think it is admirable that the District proposes to pay a
21 premium to vehicles which meet the California standards. But
22 I predict that the implementation of such legislation will be
23 difficult because of the administration necessary and the
24 unreliable character of these control devices.

25 And now, I am going to discuss specific emission

1 control devices because several times, several witness' testi-
2 mony -- it has come up especially, and I'm sorry he's not here.

3 Councilman Daugherty has mentioned, well, what about
4 emission control devices? Do you think it is a good thing that
5 we in the Council are offering premiums? So I think it would
6 be very worthwhile to go into each of the emission control
7 devices that is now available in our laboratory and the relative
8 effectiveness.

9 The two major sources of pollution are from the
10 crankcase and exhaust. The hydro-carbons of crankcase repre-
11 sent 25 percent of the total hydrocarbons and can be eliminated
12 by positive crankcase ventilation. Hydrocarbons and carbon
13 monoxide have been reduced a further 50 percent by new engine
14 designs. However, considerable controversy exists as to their
15 effectiveness of these new engine designs. The only data
16 available comes from California. Generally, vehicles which
17 initially met state standards have deteriorated to the uncon-
18 trolled level within one year. The explanation is that these
19 systems require careful maintenance. Furthermore, the decrease
20 in hydro-carbons and carbon monoxide by improved engine design
21 leads to an increase in nitrogen oxides. Laboratories have been
22 experimenting with a large manifold reactor system which reduces
23 carbon monoxide by 75 percent and hydrocarbons by 90 percent.

24 This system, along with the direct flame afterburner
25 system, is not commercially feasible and does not attack nitrogen

1 oxides. Catalytic converters are capable of reducing carbon
2 monoxide by 85 percent but tests in California showed that
3 lead in gasoline rapidly inactivated the catalyst. At present,
4 the only feasible control for nitrogen oxides is exhaust recycling.
5 This technique requires careful maintenance and is difficult
6 to couple to hydro-carbon and carbon monoxide control techniques
7 to them. In summary, the state of emission control technology
8 is primitive and aside from Cole's recent statement, Detroit
9 has been recalcitrant to accelerate research in this area.

10 In light of the poor prospects for control devices,
11 the only remaining means of reducing motor vehicle emissions is
12 to attack the cause: the overreliance on the automobile as a
13 means of transportation into the city.

14 (Applause.)

15 There has been little mention of the projected cost
16 for this freeway. The dialogue between Mr. Hechinger and Mr.
17 Hahn indicated that the projected cost has more than doubled
18 from the 200 million dollars of 1968 to the 500 million
19 present estimate. What will the real price be -- one billion
20 dollars? This money could be utilized for an alternative, and
21 far less polluting modes of transportation such as the Metro
22 and mass transit through extended bus service. True, 90 percent
23 of the money is tied up in a trust fund. This is very regrett-
24 able, but hopefully, it could be untied. In any event, it
25 comes ultimately from our pockets, we the people who use cars,

1 and it is unnecessary that 90 percent of this money is earmarked
2 only for highways.

3 Mr. Hahn has suggested to several witnesses that
4 public ownership of the bus company would lower fares and make
5 more extensive service feasible. I contend that the swing to
6 efficient, cheap and comprehensive mass transit is essential
7 for the reduction of air pollution in D. C. Our lungs and
8 our children's lungs cannot tolerate another mile of car-laden
9 freeway in the District of Columbia.

10 (Applause.)

11 COUNCILMAN MOORE: Dr. Fisher, thank you for your
12 very good paper. You have done what appears to be a very
13 scholarly work here. I would be the first to admit that I
14 know very little about chemistry so, therefore, there are
15 just two questions that I wanted to ask you.

16 The first one is: Are you for or against more free-
17 ways?

18 DR. FISHER: For or against what?

19 COUNCILMAN MOORE: For or against more freeways?

20 DR. FISHER: Against.

21 COUNCILMAN MOORE: Against? That is the upshot of
22 your paper?

23 DR. FISHER: That's right.

24 COUNCILMAN MOORE: Thank you. Now the second one is
25 this, that broadly you spoke of the effect of pollutants on

1 human beings, and on plant life. In respect to human beings,
2 do you see any possibility that former pollutants that you
3 described in this paper that affect the brain of an individual
4 to the extent that it would cause automobile accidents.

5 DR. FISHER: I would think it very possible; the data
6 for 10 parts per million, carbon monoxide show a 50 percent
7 increase in the error in judging time intervals. That's only
8 10 parts per million. Furthermore, it has been shown as
9 smokers versus non-smokers, something like a two and a half
10 fold increase in motor accidents. And this has been primarily
11 associated with the high carbon monoxide content of cigarettes.
12 That isn't real tight.

13 COUNCILMAN MOORE: The B part of this question
14 relating to plant life, is there any substance to the story
15 that appeared in several newspapers and magazines not long ago
16 about the effects of the polluted air on trees, certain kind of
17 a pine tree. I forgot the kind of a pine tree it is in
18 California, especially at the mountain level, not the high
19 mountains but at the mountain level?

20 DR. FISHER: I'm not familiar with the particular
21 report that you mentioned, but I have seen reports on the
22 effects of ozone and nitrogen oxide on trees, specifically
23 pine trees. And, apparently, pine trees are the most sensi-
24 tive to air pollutants. There is a whole spectrum of sensitivity
25 among plant lives, and for instance, the ginkgo tree is one of

1 the most resistant, and that is why it thrives in the city.
2 It is resistant to infection also.

3 COUNCILMAN MOORE: The name of that pine is the
4 Ponderosa.

5 DR. FISHER: Ponderosa.

6 COUNCILMAN MOORE: Thank you very kindly. Chairman
7 Hahn?

8 COUNCILMAN HAHN: First of all, let me also thank
9 you for a very excellent and thoughtful paper.

10 On page 5 of your paper, I believe you have reference
11 to a commerce department print of 1967. Is this a work of
12 yours you were referring to?

13 DR. FISHER: No, I wasn't responsible.

14 COUNCILMAN HAHN: Is 116 parts per million in the
15 center-city, would this be under the conditions that I referred
16 to, for example, several times before like 13th Street, or
17 are we talking about bumper to bumper traffic, say, on F
18 Street?

19 DR. FISHER: This would be the highest density
20 traffic. However, I might mention Dr. Cone who testified on
21 Friday night also mentioned that one of the best studies,
22 Freeways and Their Effect on Pollutants, was done on the lower
23 Manhattan Freeway, and there they predicted for an open-trench
24 that there would be anywhere from 100 to 300 parts per million.
25 So it is not at all unusual to have that.

1 COUNCILMAN HAHN: What I am getting at is, we have
2 the problem already and it can get worse just by the nature of
3 cars on the city streets. This isn't all one single problem,
4 is it. The point, for what it may be worth, you referred to
5 on page 6, and as a matter of fact, we would be glad to have
6 some later advices from you on a somewhat allied subject.
7 We have now before us which is in Councilman Daugherty's
8 committee a proposal to require connection with annual inspec-
9 tion that these emission control devices that are on all the
10 new cars must be operating at the annual inspection, the
11 theory being that they work for a certain number of months and
12 it should be adjusted each year.

13 I don't ask you to comment on it, but if you can
14 comment on it in the future and extend us some further help
15 on that point since you seem to be an expert in the field, we
16 would be appreciative if you would do that. And I think that
17 it would seem to me that the point is well taken and the
18 suggestion that is made to us obviously would seem to have some
19 validity based on your testimony.

20 Can you comment on those figures I referred to ear-
21 lier, the 116 parts per million in the middle of the city? Is
22 that a rare figure or a typical figure and do the studies that
23 you work with give any kind of an average figure throughout
24 the city? What are we faced with now?

25 DR. FISHER: Well, as far as the average across the

1 city, I mentioned that one percent of the time 15 parts per
2 million are greater have been recorded. There is a tremendous
3 problem in the detection in measurement of air pollutants.

4 COUNCILMAN HAHN: Yes, I can see that.

5 DR. FISHER: The frequency, the time interval and
6 the particular place that you sample it, and that is why it
7 has to be in the distribution sense. And my testimony is a
8 little bit misleading here because I have quoted high figures,
9 but I have quoted them purposely to show --

10 COUNCILMAN HAHN: I have no quarrel with that. I
11 was just curious to know.

12 DR. FISHER: The mean for a motor vehicle in a
13 center-city was 30 parts per million; the mean for a motor
14 vehicle on freeways was about 20 parts per million. It is
15 somewhat lower for the carbon monoxide as I indicated in testi-
16 mony.

17 COUNCILMAN HAHN: Your testimony indicates that at
18 least under laboratory conditions a smaller amount than that
19 can have an impairment. Thank you very much.

20 COUNCILMAN MOORE: Councilman Shackleton?

21 COUNCILWOMAN SHACKLETON: Just I want to thank Dr.
22 Fisher and say that I think it has been extremely valuable.
23 For the first time the Council -- I think for the first time
24 in any hearings that we have specific information data on the
25 air pollution problem. As in your paper and in Dr. Cohen's

1 paper which came up after 1:00 a.m. in the morning, but it was
2 extremely interesting. I only wish that some of this informa-
3 tion had been available years ago while this freeway plan was
4 developed. I think that maybe things would be different now,
5 but I hope it is not too late.

6 DR. FISHER: I hope it's not too late.

7 COUNCILWOMAN SHACKLETON: I hope it's not too late.

8 Thank you.

9 COUNCILMAN MOORE: Councilman Anderson?

10 COUNCILMAN ANDERSON: No questions.

11 COUNCILMAN MOORE: Councilman Robinson?

12 COUNCILMAN ROBINSON: Thank you, Dr. Fisher. Would
13 the increase in freeways, more automobiles would be more
14 dangerous than marijuana, isn't that right?

15 DR. FISHER: That's right.

16 (Laughter.)

17 COUNCILMAN MOORE: Thank you, Dr. Fisher, for your
18 very fine testimony. Your copy will be entered into the record
19 and will be given Council attention.

20 (Applause.)

21 COUNCILMAN MOORE: Mr. John Israelson, Vice President
22 Woodward and Lothrop?

23 Mr. Charles Cassell, Capitol East Community Organi-
24 zation?

25 (Applause.)

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TESTIMONY OF

CHARLES CASSELL

CAPITOL EAST COMMUNITY ORGANIZATION

MR. CASSELL: Brother Robinson, I would like to say about your last comment that more people do smoke automobiles than marijuana; that's why it's dangerous.

COUNCILMAN MOORE: Mr. Cassell, we are very happy to welcome you here to a Council Hearing. As the Chairman of the hearings, I also take pleasure in welcoming you here as a member of the Board of Education for the District of Columbia and vicinity. We assure you that we have the most vital interest in the concerns for which you have been recently chosen.

MR. CASSELL: Thank you.

Mr. Chairman and members of the Council, before I sit down, I would like to make one very strong complaint. I am pleased that we have less policemen here tonight than you had in the beginning of the series, but I still don't understand the need to have armed guards in the City Council Chambers. I just can't remember that there has been any violence in the City Council Chambers over the years, except perhaps on two occasions.

And on that one occasion, that violence was wreaked against a spectator by a former member of the City Council who used to sit in that chair right there, but I don't see him here

1 tonight. And on the second occasion, there was violence
2 wreaked at the order of the Chairman against citizens who were
3 raising their voices, unarmed citizens without armor, without
4 knives, guns, by policemen who were armed.

5 It seems to me that the time has come now for us
6 not just to take away encirclement, but for us to remove the
7 policemen.

8 Now there's one more thing, if you look at this
9 crowd, I think that you will see that these are very peaceful
10 people, and I am reasonably sure that there aren't any weapons
11 in that audience; no knives, guns, switch blades and so forth.
12 So you don't have to protect against any violence. The only
13 guns in this room right now are worn by the policemen here.

14 Now this particular meeting has gone on for a few
15 hours now, so before I sit down to testify I would just like
16 to respectfully request that since there has been no violence,
17 and there appears not to be any in order, that you remove the
18 policemen from the room. I would feel much better testifying.
19 Would you do that, sir?

20 (Applause.)

21 COUNCILMAN MOORE: Mr. Cassell, as I understand it,
22 your name appears on the list tonight to testify on the highway
23 situation as reported by the Department of Highways headed by
24 Mr. Tom Ericson. This is your privilege to witness if you
25 choose to do so. If you do not choose to witness, that is

1 also your privilege.

2 MR. CASSELL: Could I have a response to my question,
3 just you answer no?

4 COUNCILMAN MOORE: Mr. Cassell, this is not the
5 question before the Council tonight. We are listening to
6 testimony tonight.

7 MR. CASSELL: I judge that from the response of the
8 people in attendance here, all of whom are citizens and repre-
9 sentatives on this committee that this is a general request.
10 If you deny this request, then just tell me so, and I will
11 testify?

12 COUNCILMAN MOORE: Mr. Cassell, I will not engage in
13 a debate with you. You are privileged to witness in the situa-
14 tion as it is or you are privileged not to. Now you make the
15 choice.

16 MR. CASSELL: All right. I make the choice. I do
17 so under protest, and I would request that you consider that
18 for the next hearing. I think that --

19 COUNCILMAN MOORE: Now once you have taken your seat,
20 your testimony will begin.

21 MR. CASSELL: There's one more thing that I would
22 like to say, sir, before I begin. And I would like to express
23 my deep affection and respect for two Council members who
24 listen to the same kind of testimony that you had been hearing
25 here last year and voted accordingly. Mrs. Polly Shackleton --

1 (Applause.)

2 I refer to Mrs. Polly Shackleton, of course, and
3 Brother Stan Anderson -- I'm sorry that I can't see you.

4 The next thing I would like to do is to complain
5 again, sir, and this is relevant. It has to do with the issue
6 before you. I have before me notice of a public hearing issued
7 by the District of Columbia City Council dated January the
8 14th, 1970, and on the back of that, there is a statement.
9 And that statement says, "All sessions will begin at 7:30 p.m.,
10 and will be held in the City Council, Room 500 of the District
11 Building, 14th and E Streets." Now we hear that the City
12 Council has issued instructions that that will be changed,
13 and persons desiring to testify have been notified that they
14 will have to appear during the day.

15 Now, could I ask you, sir, and I think this is a
16 relevant question. Is that true or has that been accurate
17 information?

18 COUNCILMAN MOORE: Mr. Cassell, it has been announced
19 here tonight that there will be some additional hearings for
20 persons who wish to testify on the highway situation.

21 MR. CASSELL: Very well. I would just like to
22 complain about that. You know that the purpose of night hear-
23 ings is to make it possible for the large number of people in
24 Washington, D. C. who will be affected by freeway construction
25 if you do vote to continue this plan, and that those people

1 would like very much to have the opportunity to testify here.
2 And many of them are simply not able to take time in the morning
3 at 10 o'clock. I notice also that the testimony that you have
4 had up to now has been overwhelmingly opposed to any freeway
5 construction, and I imagine if you would make the time for
6 appearance available to more people by having this at night
7 that you would be even more impressed with the fact that this
8 city simply does not want any more freeways, not another inch.

9 And I would request also that something be done that
10 appears not to have been done, and that is to announce publicly
11 that these hearings are going on.

12 (Applause.)

13 It is true that we have coverage. The papers are
14 reporting the fact that there's a hearing, but they are not
15 pointing out that the hearings goes on. I just heard when I
16 came in here that there will be hearings tomorrow and Thursday
17 and Friday. It seems to me that it is your responsibility
18 some way to have the press or prevail upon them to announce
19 that they will continue until Friday. Could I ask that?

20 COUNCILMAN MOORE: Mr. Cassell, your statements have
21 been entered into the record. This is a hearing. You may
22 proceed with whatever testimony you wish to make.

23 MR. CASSELL: I assumed that this was an opportunity
24 to communicate with you in a way that we are normally not able
25 to and have the response, and I assumed also that at a public

1 forum, perhaps the response may be more favorable in that
2 particular respect.

3 Now you have been listening to much testimony. Most
4 of this was said to you last year, was said before the August
5 9th hearing when surprisingly the City Council reversed itself.
6 I don't think it is necessary to belabor any of these points,
7 but I think it is well to try to put things into perspective.

8 Who is actually for the highway plan as submitted
9 to you by the Highway Department? Who wants it and why? Where
10 did it come from and who is opposed to it?

11 I would like to read a list. I mean this is relevant.
12 Would you agree, sir?

13 COUNCILMAN MOORE: You may continue with your wishes.

14 MR. CASSELL: The people who are pro-freeway are --
15 and let me list them; there may be others: The Federal City
16 Council, these are essentially banker types; the Board of
17 Trade of Washington, D. C.; the Downtown Progress or business-
18 men; the Bethesda Chamber of Commerce; the Silver Spring
19 Chamber of Commerce; the Trucker's Association; and then such
20 local lobbyist as the O'Boyle Tanker Lines; the Goodyear Tire
21 and Rubber Company; the Yellow Cab Company; Woodward and
22 Lothrop; the Central Labor Council; and the various real estate
23 institutes.

24 There is the National Highway Lobby and this consists
25 of the people from Detroit, the people who sell gas and oil, and

1 those who sell rubber tires. There are local Congressmen in
2 the Senate and the House who are interested in this program
3 which has been proposed to you; such persons as Senator Tydings,
4 Senator Spong, Senator Byrd, Congressman Hogan and Gude and
5 Broyhill. We do have the Congressional highway lobby
6 supporters also.

7 There is just one lone civic association in the
8 entire metropolitan area which has supported this plan, and a
9 small one at that. I'm referring to the civic association in
10 northern Bethesda.

11 Now, let's look at who is opposed to it, and I would
12 like for you to keep this in mind as you deliberate, and as
13 you respond to other types of pressures which will be brought
14 upon you. The D. C. Federation of Civic Associations repre-
15 senting 50 different separate civic associations; the D. C.
16 Federation of Citizens' Associations, an essentially white
17 group representing 40 civil associations; the Montgomery
18 County Federation of Citizen Association representing 60
19 associations; the Montgomery Allied Civic Group representing
20 45 groups; the Fairfax Civic Federation representing 103
21 organizations; the Brookland Coordinated Council which Brother
22 Robinson certainly knows about representing 18; the Black
23 United Front, representing the entire Black population of
24 Washington, D. C.; the D. C. Democratic Central Committee; the
25 Northeast Ministry; the Council of Churches; the Unitarian

1 Universalist Caucus; the Emergency Committee on the Transporta-
2 tion Crisis -- of which I happen to be a Vice Chairman; the
3 Capital East Community Organization of which I happen to be
4 President; and the Committee of One Hundred on the Federal
5 City.

6 Also, I understand that Reverend Fauntroy testified
7 in opposition to this plan for Metro the other day. Now it
8 seems to me that this does something to you. Mr. Tucker asked
9 the question earlier, would we prefer to have the City Council
10 make the decision on the freeway program or the Congress?
11 And Mrs. Haywood asked the question, what if the Council's
12 recommendations are not acceptable to the Congress?

13 Well, I point out to you that the Congress cannot
14 act if this Federal or rather this city body does not approve
15 the Highway Act.

16 (Applause.)

17 The Highway Act requires that no Federal money can
18 be spent if indeed the appropriate city or municipal body does
19 not request it and approve it. Therefore, if it is not accept-
20 able to Congress, then there is nothing that they can do except
21 perhaps to provide for you the dilemma of a black mail program
22 as they did before, which unfortunately, the Council succumbed
23 to.

24 Now, I think I am correct. The Congress would then
25 not be able to force upon this municipality or any other

1 municipality a program for that city that the city has as
2 overwhelmingly rejected as Washington, D. C. has. So that is
3 the answer to that question.

4 Now there is also the question of how each of you
5 individually interpret your responsibility to this community.
6 Now I understood, because many of the questions that I hear,
7 indicate an understanding of an opposition in many of the
8 detriments of freeway planning, but we heard those the last
9 time. I am concerned also that this city becomes disenchanted
10 with this body if we spend as much time and as much energy in
11 making to you careful and complete presentations which make
12 it clear to you that Washington, D. C. does not yet have a
13 competent transportation planning body. And all of the plans
14 that you have before you, are products of the Highway Department
15 and certain specialists in the National Capital Planning
16 Commission.

17 This does not constitute an answer. It certainly is
18 not a satisfactory answer, and I don't know why Council seems
19 to think that it has to respond to the Congress, which has no
20 interest in Washington, D. C., other than representations made
21 to it by people who have something material to gain by this
22 particular program. Now how much more technical information
23 can we give to you about the disadvantages of pollution, the
24 disadvantages of dividing communities, the disadvantages with
25 the disenchantment of large numbers of people who are

1 interested for themselves and the transportation system which
2 is available to most of us and accessible to most of us? What
3 more does this community need to do to impress upon you that
4 your major responsibility is to us, and not to the Congress of
5 the United States?

6 (Applause.)

7 I sense also that the Council was not entirely satis-
8 fied with the testimony with the gentleman from the D. C.
9 Relocation Advisory Committee. I agree that was rather weak
10 testimony. He did refer to a publication by a Professor from
11 Maryland University, I believe, called, "Where Did They Go?"
12 He was referring to the people who were dislocated from the
13 southwest area during that relocation period. And the fact of
14 the matter is that they can only count for some 135 people,
15 some 135 families.

16 Well, what really did happen to the rest of those
17 people? I think we know that those people found themselves
18 forced to find whatever accommodation they could throughout the
19 city and this, of course, is responsible for some of the
20 increased slum areas in the city. But since Mr. Crocker referred
21 to that publication, and since his referral was certainly com-
22 plete, it seems to me that your responsibility was to call the
23 author of that publication, "Where Did They Go?"

24 (Applause.)

25 And to have his testimony. After all, there are

1 nearly 22,000 or more than 22,000 people whom we can't account
2 for. Therefore, I urge you to consider that if, on this
3 occasion, after public testimony and after the overwhelming
4 opposition, not capricious, but well documented by a variety,
5 a cross-section of both professional and community people in
6 this city that you have no choice but to respond accordingly
7 and not to be concerned with a Congress which is held in low
8 respect by the members of this community. That is your responsi-
9 bility.

10 There is one more mthing that I would like to say
11 about these freeways where we create these tremendous ditches
12 across the city. Not only do they divide communities and
13 destroy their entity, not only do they destroy the opportunity
14 for developing some kind of political entity, business entity,
15 social entity, but you do have to get from side to the other,
16 and how do you do that? We have the overpasses in which you
17 construct a rather gigantic concrete and stone edifice which
18 allows people to walk up steps and over the highway and down.

19 There has been some trouble in connection with those
20 overpasses. In fact, there have been some tragedies from young
21 people dropping things mischievously from them. Now, I sub-
22 mit that this is because of the fact that even a child who was
23 born into an atmosphere in which he has to mount gigantic steps
24 and cross a highway just to go to the store, as they do on
25 Kennilworth Avenue. Incidentally, I lived out there in Mayfair

1 Mansion for a long time, and I resented that also. It builds
2 up a certain resentment and a certain hatred. And this is
3 expressed as it is in the schools and any place else in negative
4 behavior.

5 Now the response to that has been something which is
6 even worse, and that is we have built gigantic wire cages.
7 There was a picture of that in the paper just the other day.
8 Could I have a copy of that? Does somebody have that? I mean
9 this is really a significant indication of what we create. Let
10 me show you this, for instance. You probably all saw this
11 picture in the paper, and you see how it looks as you walk
12 through the thing, right? Just to get across the street, just
13 to get across the road to visit a friend or to go to school
14 every day twice a day --

15 VOICE: It looks like a prison.

16 MR. CASSELL: And there it is. Now there's no better
17 solution than that, but what you are doing is protecting your-
18 selves against the hostility of a community whom you have
19 ignored, and which is reacting. There is the same problem in
20 the schools where we are talking about a specific safety pro-
21 gram to make people happy again or to protect ourselves against
22 children, and this is about the only way we can protect our-
23 selves from the hostility of communities, especially young
24 people.

25 Another reason why you should reject the whole

1 program, there are enough highways in Washington, D. C., and it
2 seems to me that the Council would be well advised now to assist
3 in the establishment of a very professional and competent
4 transportation planning agency for Washington, D. C. to begin
5 to address --

6 (Applause.)

7 -- So that every map that you see and I think this is
8 a fact doesn't have highways laid on it. You should have some
9 options. We should be able to see now, and we should also be
10 able to think in terms of devices that we don't have now. You
11 see we can get to the moon now. It may be -- very well be
12 possible that we are wasting money in building these permanent
13 concrete ditches when in ten years or so, we may have Buck
14 Rogers' belts strapped on our backs, right? Within that short
15 of time -- sir, is that through? Are you going to cut me --
16 is that why you have got this policeman in here for?

17 Now you didn't tell me that I had any particular time
18 limit. I'm not finished, sir. And I didn't notice -- I
19 haven't been up here as long as most of the other people. I
20 didn't notice you rapping.

21 COUNCILMAN MOORE: Mr. Cassell. --

22 MR. CASSELL: Maybe that's what you do have the police-
23 man here for. If that's your case, let me know?

24 COUNCILMAN MOORE: Mr. Cassell, would you stop long
25 enough to hear the Chair. The Council has seen the picture,

1 and if the witness would please proceed with his testimony.

2 MR. CASSELL: Well, I think, Mr. Chairman, it doesn't --
3 if it doesn't offend the people who are sitting here if I stand
4 while I talk, and I don't know why it should offend you, right?
5 I'm not blocking anybody's view.

6 (Applause.)

7 And I think it is that same kind of rigid arbitrary
8 rules that you force on kids in the school about sitting straight
9 and staring straight ahead that alienates them. What's wrong
10 with standing while I talk?

11 VOICE: Tell them, Charlie. Let loose.

12 MR. CASSELL: I mean, what's wrong with my standing
13 while I talk?

14 VOICE: Feel free.

15 COUNCILMAN MOORE: Mr. Cassell, will you please con-
16 tinue with your testimony or will you not?

17 MR. CASSELL: Mr. Chairman, now let me see, how many
18 cops here; one, two, three, four, five, six -- no, I will not
19 sit. I intend to stand while I talk to you. Now if you want
20 to eject me or if you want to arrest me on some charge, maybe
21 that's violating the law. I don't know that there is such a
22 law. Maybe that is disorderly conduct, but I intend to stand
23 while I talk to you.

24 (Applause.)

25 COUNCILMAN MOORE: At the outset of your testimony

1 the Chair indicated that when you were seated, your testimony
2 would begin, and that you were welcome to testify.

3 VOICE: Has he got to put his pipe out?

4 COUNCILMAN MOORE: Now, you are invited to take your
5 seat and carry on this testimony.

6 MR. CASSELL: I'll wait until you make your decision,
7 and go on with my testimony. I told you I was going to stand.
8 Maybe you had better confer with the Chairman; he has some
9 experience at unwise acts like this. You had better put your
10 heads together. I'm going to stand.

11 COUNCILMAN MOORE: Mr. Cassell, I am chairing this
12 meeting. The responsibility is mine as a Chairman to conduct a
13 meeting.

14 MR. CASSELL: Would you ask the cops to put their
15 guns away before they come in?

16 COUNCILMAN MOORE: Mr. Cassell, I don't have to
17 refer to anybody as Chairman of this meeting to conduct --

18 MR. CASSELL: I thought we passed that.

19 COUNCILMAN MOORE: Now the choice was yours; I left
20 it up to you.

21 MR. CASSELL: I made the choice.

22 COUNCILMAN MOORE: Now you made the choice. So far
23 as this chair is concerned, if you do not take your seat, your
24 witness is concluded.

25 VOICE: What is the charge?

1 MR. CASSELL: I have already told you, sir. I will
2 stand. Now, I am going to continue testifying, right? If you
3 want to take some action, take that action.

4 COUNCILMAN MOORE: Mr. Cassell --

5 MR. CASSELL: Why don't you talk this over with the
6 members, Mr. Chairman? This is a small petty issue; this is
7 really unbecoming for a City Council meeting.

8 COUNCILMAN MOORE: Mr. Cassell, now if it is your
9 purpose to embarrass the Chair, you are not embarrassing me.

10 MR. CASSELL: Pettiness embarrasses yourself. As
11 a matter of fact --

12 COUNCILMAN MOORE: Mr. Cassell, I am not going to
13 refer to any member of the Council as long as I am sitting in
14 this chair. This is my Chairmanship, and I am authorized to
15 carry it on, and I am going to carry it on. Now, actually, I
16 don't mind talking to you, Mr. Cassell, or any other member in
17 this room and everybody in here knows that. Every individual
18 in this room knows that.

19 Now, in the second place, Mr. Cassell, now the second
20 thing I want you to understand, I am not afraid of you, and I
21 am not afraid of anybody in this room, and I want that clear.

22 MR. CASSELL: Well, it's not my intention to frighten
23 you, sir. I just want to stand to talk; that is all, all right?

24 COUNCILMAN MOORE: Well, the Chair has asked you to
25 be seated.

1 MR. CASSELL: And I have refused.

2 COUNCILMAN MOORE: Now what you are actually doing
3 is just simply defying the Chair.

4 VOICE: That is an inconsequential point.

5 COUNCILMAN MOORE: I am trying to reason with you,
6 Mr. Cassell, and if you don't want to be reasoned with, that is
7 up to you.

8 Now, just a second, Mr. Cassell, if you will just
9 listen to me a minute. There are just certain things that are
10 courteous in a meeting. If you were chairing this meeting,
11 and you asked me to be seated, if you would have a problem
12 there --

13 MR. CASSELL: I would let this testimony be given
14 standing, sitting or lying down. It couldn't be that petty,
15 sir, really.

16 COUNCILMAN MOORE: Now you just listen just a minute.
17 Now I know what you are trying to do.

18 MR. CASSELL: You are getting paranoiac now. You
19 are getting paranoiac.

20 COUNCILMAN MOORE: You are not the only wise man in
21 this room.

22 MR. CASSELL: No, there are quite a few of them. I
23 would like to see more of them up there.

24 COUNCILMAN MOORE: What you are missing, and that is
25 just the point, your people's wisdom, and you should act within

1 the context of that wisdom. Now you are a decent man; you
2 have a moral responsibility.

3 MR. CASSELL: That's very patronizing, I appreciate
4 it. I would like to get on with my testimony.

5 COUNCILMAN MOORE: You may say what you might like
6 to say about the Chairman, Mr. Cassell. That is all right,
7 and I think you know that. Now I am trying to reason with
8 you first. Now if you don't want to be reasoned with, that is
9 your responsibility.

10 MR. CASSELL: I intend to stand and testify. Can
11 we get on with it?

12 COUNCILMAN MOORE: Your testimony is over so far as
13 the Chair is concerned, as long as you have decided that you
14 are not going to be seated. I gave you the privilege of that
15 chair and asked you in the beginning when you first came up,
16 and so long as you receive it, you would be giving testimony
17 that the Council is willing to listen to it when you are seated
18 to give the testimony.

19 MR. CASSELL: How do you think all of this will
20 sound with the recorder? When you listen to it yourself,
21 won't it sound petty?

22 COUNCILMAN MOORE: Well, you have just said it. How
23 is that going to sound?

24 MR. CASSELL: Wouldn't it sound petty?

25 COUNCILMAN MOORE: I'm not interested in that, Mr.

1 Cassell. Now what you want to do, is what you are trying to
2 do --

3 MR. CASSELL: Make your choice.

4 COUNCILMAN MOORE: What you are trying to do is
5 deliberately provoke a situation.

6 VOICE: You done an arbitrary rule that has no
7 basis for judgment.

8 MR. CASSELL: You have got yourself into a box. I
9 think you ought to turn the Chairmanship over to somebody
10 else.

11 COUNCILMAN MOORE: That's not your judgment to make.

12 MR. CASSELL: I just offered it.

13 COUNCILMAN MOORE: I thank you for offering it, sir,
14 but it isn't yours.

15 MR. CASSELL: I want to say something about air
16 rights now.

17 COUNCILMAN MOORE: Mr. Cassell, I have tried to
18 reason with you, and you don't want to be reasoned with. I
19 will proceed to the next witness, Mr. John Kelly, Brookland
20 Coordinating Council.

21 MR. CASSELL: Mr. Kelly, would you mind my continuing
22 until I finish my testimony?

23 MR. KELLY: Well, certainly, Mr. Cassell. I cannot
24 stand in your stead. I can't testify under these circumstances.

25 MR. CASSELL: In connection with air rights, Mr.

1 Chairman --

2 COUNCILMAN MOORE: Mr. Stanley Sher of the Connecticut
3 Avenue Association, Committee Concerned for K Street?

4 MR. SHER: I am here to testify, Mr. Chairman, but
5 I do not wish to get involved with this. It seems to me that
6 this could be resolved in a sensible fashion, and I await that
7 resolution.

8 MR. CASSELL: I would like to testify, but if you
9 are going to interrupt me, Mr. Chairman --

10 COUNCILMAN MOORE: Well, Mr. Cassell, would you
11 explain to me what your objection is to being seated? Would
12 you just answer that?

13 MR. CASSELL: I think it's an arbitrary rule, really.
14 Standing is not offensive to anybody.

15 COUNCILMAN MOORE: Mr. Cassell, it was a request.
16 It wasn't a rule.

17 MR. CASSELL: Well, I think it is arbitrary. I
18 think it is designed to inhibit, and I think it's a reasonable
19 thing. I have testified many times in this room, and I have
20 always stood, very seldom have I sat. I speak better; I would
21 also like to be able to see all the members of the Council
22 because as I sit down here, I cannot see my esteemed brother
23 Anderson or can I see my Fraternity Brother Robinson here. I
24 might be able to see Brother Yeldell, but that's a reasonable
25 reason for standing. Now could we go on, sir?

1 COUNCILMAN MOORE: Well, Mr. Cassell, I'm going to
2 do this because you are orderly, I understand what you are
3 doing; I understand it very well, and I don't want you to think
4 that I don't. Now you continue with your testimony.

5 MR. CASSELL: Thank you, sir.

6 (Applause.)

7 I just have one final thing to say, and that is about
8 air rights. It has been proposed that there be construction
9 for housing or for schools over that portion of the freeway
10 between 2nd and 3rd, H and K. I think that the testimony that
11 you have up to now indicates very clearly that in that area,
12 the concentration of pollution is even higher.

13 I would like to leave with each Board member this
14 particular admonition. With the scientific information that
15 we have now, certainly you wouldn't want to live over a channel
16 which produces such a concentration of pollutants, and cer-
17 tainly, you wouldn't want to put children in schools 67 hours
18 per day. This would be necessary, and I say to you also if
19 you can, on this occasion, ignore the wishes of this city as
20 expressed so very eloquently over the past two years, and
21 approve any more freeways in Washington, D. C. aside from what
22 Congress wants, that you would have started a process of lack
23 of respect for the City Council.

24 You would have also started a process of opposition
25 to the City Council which is entirely unnecessary. I encourage

1 you to recognize the advantage in responding to the desires of
2 the city. You would then be accepted. If you recall in 1968,
3 the old City Council was applauded by the city; they gained
4 strength. I say to you that whatever pressures, whatever
5 antagonism comes from an irresponsible Congress would be more
6 than counter-balanced by the fact that you would then appear
7 in the eyes of the city as a whole to be responsible and to
8 be responsive.

9 I say to you not one more inch of freeways in
10 Washington, D. C. The solution is mass transportation.

11 Thank you.

12 (Applause.)

13 COUNCILMAN MOORE: Mr. Cassell? Mr. Cassell?

14 MR. CASSELL: Yes.

15 COUNCILMAN MOORE: May I ask you to return to the
16 witness table, please? There may be questions that my fellow
17 Councilmen may wish to ask of you.

18 MR. CASSELL: Would it be all right if I stood
19 and answer those questions, sir?

20 COUNCILMAN MOORE: Would you come inside of the
21 witness chamber, please?

22 MR. CASSELL: Yes, sir.

23 COUNCILMAN MOORE: Councilman Hahn? Councilman
24 Shackleton?

25 COUNCILWOMAN SHACKLETON: No questions.

1 COUNCILMAN MOORE: Councilman Anderson?

2 COUNCILMAN ANDERSON: No questions.

3 COUNCILMAN MOORE: Councilman Haywood?

4 COUNCILWOMAN HAYWOOD: No questions.

5 COUNCILMAN MOORE: Councilman Robinson?

6 COUNCILMAN ROBINSON: No questions.

7 COUNCILMAN MOORE: Councilman Yeldell?

8 COUNCILMAN YELDELL: I don't have any questions, Mr.

9 Chairman. I would like to chat with Mr. Cassell a minute
10 though.

11 I think that your testimony and the testimony of many
12 witnesses associated East D. C. has had a lot of meet in what
13 it's had to say. I think that it is unfortunate that we some-
14 times had to cloud the issue, a lot of irrelevancy. I think
15 it is important to recognize that issues now are not the same
16 as they were in August, and I think that you are occupying a
17 position of responsibility on the Board of Education, makes it
18 crystal-clear that when one has a responsibility that one must
19 discharge that responsibility in a way that the situation
20 demands.

21 I am not so much concerned about a lack of respect
22 nor am I concerned about opposition to. As long as a Council-
23 man, I am able to waive the situation in terms of what it will
24 do for the majority of the citizens of the city, and I feel,
25 without any regret, that decision I made in August as a part of

1 this body was a sound one based on the information we had at
2 the time. I feel that I can listen to this situation and make
3 an objective opinion on this based on the information
4 date now.

5 I do not appreciate the correlation between the two
6 because I don't think it exists; nor do I particularly feel that
7 when one does not occupy a position of responsibility, one
8 can say what the pressures are on anyone else. I could only
9 say then that I could listen to what is being said here, and I
10 can appreciate what is being said, and I can understand the
11 emotionalism behind it. I think you know, as well as we, that
12 the vote we took in August was not a Vote for freeways, but a
13 vote necessitated by pressures that were upon us and our
14 response to doing what we had to do for this city.

15 This is a new game and I view it in that respect,
16 and I wish that you and the other members of ECTC and the
17 other people who are anti-freeway would simply present your
18 information in as an objective way as you care, and I think it
19 will be decided upon based with that fact, and not the emotion-
20 alism so associated.

21 Thank you, Mr. Chairman.

22 MR. CASSELL: I would like to say two things in
23 response to that. You mentioned lack of respect. I must con-
24 fess that you are quite right, sir. I have respect for two
25 members on the Council. They have earned that respect, and for

1 one additional member who had not the opportunity to take a
2 position on that; so you are quite correct there.

3 On the second point, you mentioned irrelevancies. If
4 there were some irrelevant statements that I made, I would be
5 glad to admit to it if you would point them out or to clear it
6 up.

7 COUNCILMAN YELDELL: I don't care to say anymore,
8 Mr. Cassell. I have said what I have to say. I think you fully
9 understand what I have said.

10 MR. CASSELL: We asked on August the 9th, Mr.
11 Chairman, when we were denied five minutes to make a statement
12 to you, to make a simple statement. And it was a statement made
13 by an individual whom I think we all revere and who had begun
14 in his career to move away from appealing to the hearts of
15 men in dealing with the practicable aspects of an issue and to
16 build the kind of irresistible force that makes the establish-
17 ment respond. That man was Dr. Martin Luther King.

18 Now since we insisted on making that statement, many
19 of us found ourselves ejected, and of course, some got prison
20 terms to serve. The statement was, and I hope I'm not going
21 to have to serve a prison term for making this statement
22 because I'm going to make it.

23 Martin Luther King on Saturday, August the 9th, 1969,
24 ECTC, asked this body for five minutes to make his statement
25 before the City Council, voted on the Three Sisters Bridge and

1 the freeway issue. The statement was entitled, "A Lonesome
2 Ballot." And the author was the recently eulogized Reverend
3 Martin Luther King, Jr. Is this irrelevant, sir?

4 COUNCILMAN YELDELL: As far as I'm concerned, it's
5 most irrelevant, Mr. Cassell.

6 MR. CASSELL: Well, this is my first irrelevancy, and
7 you proved it. Our first offer, like this, was rejected.

8 Here's what that statement said. This is Martin
9 Luther King: If a man happens to be 35 years old, as I happen
10 to be, and some great truth stands before the door of his life,
11 some great opportunity to stand up for that which is right
12 and that which is just, and he refuses to stand up because he
13 wants to live a little longer, is afraid his home will get
14 bombed or is afraid that he will lose his job -- or maybe
15 future opportunity -- I added that myself -- or he is afraid he
16 will get shot, he may go on and live until he is 80, and the
17 cessation of breathing in his life is merely the belated announce-
18 ment of an early death of experience. Man dies when he refused
19 to stand up for that which is right. A man dies when he
20 refuses to take a stand for that which is true, sir -- this is
21 still Martin Luther King.

22 So we are going to stand up right here, letting the
23 world know we are determined to be free. That is my final
24 irrelevancy to you, sir.

25 (Applause.)

1 COUNCILMAN MOORE: The Chair feels compelled to make
2 a statement for the benefit of all, the persons testifying here
3 tonight.

4 The Chair has tried to be fair with everybody in
5 presiding over these meetings, various ones who have different
6 opinions about how a meeting should be chaired. You are
7 entitled to your opinion, but I would also hope that you feel
8 I am entitled to mine. I think this is only just.

9 Now, the order has been beautiful throughout these
10 hearings. We all have tried to maintain it in that way. Some
11 people have peculiar feelings about first one thing and then
12 the other. I have not tried to be arbitrary at any point in
13 ruling in the chair. I have asked for order, and I believe
14 that there is an orderly way in which any business procedure
15 should be carried on whether it is in this Council or whether
16 it is in any other deliberative body.

17 The strongest appeal that any chair has is the appeal
18 to the individuals with whom he must deal. I am being careful
19 in explaining this because I have more attitudes toward it.
20 There are policemen, as some have indicated, in the room. They
21 are building guards. I have stated at the outset that so far
22 as this chair is concerned, it is the final instrument with
23 which order would be maintained.

24 I believe that each of us has that ability within
25 himself to keep the order to insure the peace and maintain the

1 dignity of this hearing as you would want it as citizens of
2 the District of Columbia. And I would like from this point on
3 that each of us would proceed in that order, in that peace
4 and in that calm atmosphere that we try to characterize these
5 hearings with in the past.

6 I shall at all times be fair, and if you feel that
7 your Chairman is dealing unfairly with you, simply call it to
8 my attention, and the Chair will make those adjustments within
9 the prescribed regulations laid down by this Council to insure
10 that you receive the fair treatment as you think you are
11 entitled to.

12 Now I shall call the next witness and ask the witness
13 to kindly be seated at the witness table, and proceed with his
14 witness. Mr. John Kelly of the Brookland Coordinating Council.

15 TESTIMONY OF

16 JOHN KELLY

17 BROOKLAND COORDINATING COUNCIL

18 MR. KELLY: Mr. Chairman, I would like if I may
19 congratulate the Chair for the wisdom of its decision with the
20 previous witness. I, too, express his concern. I should like
21 to also file with the Chair a formal protest that these
22 meetings are not being held in the affected areas. Brookland
23 itself should have two if not three of these meetings, and it
24 should be in the evenings where the people can come and testify
25 It is regrettable that the Chairman of the Council made the

1 decision and refused us to be unable to testify within our own
2 areas.

3 I am John D. Kelly from the Brookland Area Coordinat-
4 ing Council. I am a resident of 20 years in Brookland, and I
5 am in love with this city. As a Brookland Area Coordinating
6 Council comprised of 24 members, civic and citizens associations
7 and educational institutions restate the position they announced
8 five years ago, they are in unutterable opposition to the
9 highway program proposed by the Director of Highways and
10 Traffic for the District of Columbia, Mr. Tom Airis.

11 This includes opposition to the construction of the
12 Three Sisters Bridge and to the proposed study of the North Leg
13 as well as the rest of the Department of Highways' freeway
14 system. In his presentation, Mr. Airis, as he has done for
15 years, spoke as though we will have freeways. Now, not he nor
16 anyone else has ever proven the need for any freeways. In
17 all cases, these proposals are by the Highway Department's own
18 admission based on statistics developed in 1959. There have
19 been no data since then, and oh, how this urban area has changed.

20 The Arthur D. Little Report of 1965 repudiated all
21 of these Highway Department statistics. And, Mr. Chairman, the
22 Department of Highways paid for this report with public funds,
23 however, it has been extremely difficult to come by. I have
24 copies available if the members of the Council would choose to
25 get them because I don't think the Highway Department is

1 releasing them for public consumption.

2 In particular, the Brookland Coordinating Council
3 is opposed to the recent fraud on the citizens of this grand
4 city perpetrated by the Highway Department which they call
5 recommendations for a freeway in the northern sector. The
6 long despised North Central Freeway. That Airis and company
7 can seriously believe they have done any service whatsoever
8 to this city by changing ever so slightly a freeway design that
9 as a result of the testimonies of this city and by the action
10 of this council in December 1968, even as a concept was ruled
11 totally unacceptable is without question a demonstration of
12 unprecedented arrogance.

13 The hollow announcement that some 50 homes be saved
14 is serving gall to a thirsty man. Mr. Airis and his conspira-
15 tors know that these homes are only saved to be torn down by
16 the successful bidder on condemned D.C. property which bidder
17 is then free to wreak his will upon a community. The proposal
18 lies to the extravagant when it states that the District now
19 owns 32 of the homes in the path of its proposal. Only last
20 May in a church in Brookland, Commissioner Washington, and
21 unfortunately, Mr. Hahn left, but Mr. Hahn was there too
22 pledged to find a means to restore 69 of these 32 homes to
23 private ownership; 69 homes that the District of Columbia
24 Department of Highways own, not 32. And I can't understand how
25 Mr. Airis can come up with that statistic. .

1 Mr. Hahn, if you are listening, you and Commissioner
2 Washington told us that you were inalterably opposed to the
3 North Central Freeway, and in your presence, the Mayor said
4 his instructions to his staff were, and I quote: "Don't tell
5 me it can't be done. Tell me how I can get it done," and this
6 was in reference to his restoration of these homes to private
7 ownership. So you officials, most of all, know that this
8 statement of 32 homes is an unpalatable lie. The Highway
9 Department of the District of Columbia, through the force of
10 condemnation, evicted the owners of 69 homes, not 32, in the
11 path of that disastrous freeway; 22 lanes of transportation
12 corridor that will ruin this neighborhood beyond recall.

13 I say disastrous freeway because that freeway in all
14 of the Highway Department proposals will shred this beloved
15 District of Columbia into a series of totally unrelated parts -
16 such a series of totally unrelated parts that there will be no
17 possibility of ever being able to identify the Capital of this
18 Nation. And all of this is now done in the name of expediency
19 in official D. C. Government response to mean law perpetrated
20 by mean men.

21 Mr. Chairman, if I may, I will quote a statement
22 here that describes that shredding much better than I can.
23 The fact that the freeway enables traffic to by-pass cities
24 has been, such the beginning, a strong argument in its favor.
25 But the freeway in the city is another matter. Instead of

1 uniting, it divides. It divides cities physically and socially,
2 and it disrupts neighborhoods. It cuts off sections of
3 metropolitan communities. It disburses population and businesses.
4 It promotes urban sprawl.

5 The proposed freeways planned for Washington would be
6 no exception. The most immediate and severe impact of the
7 approval of the freeways would be experienced by the families
8 and the businesses that would be displaced. The effect of
9 either displacement, however, would not be confined to the
10 affected neighborhood. It would be felt throughout the metro-
11 politan community, and that statement was made by Dr. C. Joseph
12 Nice in February, 1965, hearings on the North Central Legs.
13 Dr. Nice will testify later this evening, I understand.

14 The pity changes to the North Central Freeway Plan,
15 leaves the citizens of the Brockland area, especially those
16 who still fight for their homes in the path of this infamous
17 proposal, without relief, and I name as one that gallant
18 fighter, Mr. Bernard Pryor, who even now is denied medical
19 permission to speak, even to be here. If these proposals are
20 adopted, they will produce the best possible solution for the
21 political death of a community which has drawn national interest
22 as a naturally unenforced integrated community of home-owning,
23 family building citizens.

24 Mr. Airis' remark, notwithstanding the North Central
25 Freeway, will, in fact, separate this community from the District

1 of Columbia in a fashion designed by the same types of persons
2 who have attempted to separate Anacostia from the District, the
3 same persons who evicted the poor Black and White from southwest
4 to make it a mecca for posh living, the same types of persons
5 and the same types of intentions that design to reduce the
6 political club not only of the Black resident but of those who
7 choose to live with their Black brothers.

8 And if I may, Dr. Robinson, with regard to the remarks
9 you made during Dr. Airis' testimony about the people willing
10 to go along if the financing was better, our people in Brook-
11 land will not go along with Mr. Airis even if he provides more
12 and better funding, not at today's inflated prices, certainly,
13 and why after paying a mortgage for 20 years and establishing
14 roots for my family in a fine community, should I be required
15 to begin again just to satisfy the lustful appetite of the
16 freeway lobby.

17 (Applause.)

18 Mr. Airis has said that there are a number of schemes,
19 and I use his term, concerning rezoning of Brookland for
20 business and high-rise and Lord only knows what all. Well,
21 if the schemes are afoot, you can bet Mr. Airis knows them.
22 A large segment of the population does not know of them, how-
23 ever, and that is the people in Brookland. And they have
24 the only workable, viable scheme or plan, if you will, Mr.
25 Chairman. It was presented to the NCPC and the Department of

1 Highways five years ago that calls for schools, parks, a
2 community-serving metro station, but it did not include a
3 freeway. Consequently, it never saw the light of day.

4 Mr. Airis has said that there is much open land in
5 Brookland for this business and high-rise development. However,
6 Mr. Cook of that organization of business and industry paragon,
7 the Federal City Council, said that there is little land left
8 for development at Brookland. These coords better get together
9 but then they both spend about as much time in Brookland as
10 they spend at 14th and U Streets, Northwest.

11 The Brookland Area Coordinating Council supports the
12 Emergency Committee on the transportation crisis in their
13 attack on any more freeways in the District of Columbia and
14 a demand for rapid development of mass rapid transit systems.
15 A balanced transportation system can't even begin to be
16 balanced when only one side of the scales is filled. It
17 further supports the National Capital Planning Commission's
18 statement of December 1968, endorsed by this City Council,
19 no more gateways into the District of Columbia. It opposes
20 the proposed programs as a sham, and there is no substitute
21 change for any program developed by the Department of Highways
22 prior to 1965.

23 In the 18 months given the Department of Highways
24 to restudy the North Central Freeway, what was done? Not one
25 single thing outside of minor adjustments to its own precious

1 planning. Mr. Airis asked for an honest dialogue. In the
2 course of restudy, did that master of vague reply come out to
3 talk to the Brookland citizens? No. Did the Highway Depart-
4 ment even disclose its plan to the citizens? No. Why?
5 Because not one responsible person in the Department of Highways
6 has a single commitment to the District of Columbia and to the
7 citizens of this District or if their actions speak for them,
8 to the Commissioner-Council Government of this District.

9 They are totally dedicated of seven years of experi-
10 ence with their actions as any basis of judgment. To the
11 proposition, and I use this term in its most elicited sense of
12 the Washington Board of Trade, that found front of District
13 merchants, the highway users lobby who appear to guarantee
14 their income, the public works and District of Columbia
15 committees of the House of Representatives which appear to
16 protect them from all dangers, even possible firing.

17 In Mr. Airis' remarks, he said he thought Congress
18 would approve the 18 month extension on the North Leg. Mr.
19 Airis should know. He and Congressman Pucinski take orders
20 from the same lobby. The Highway Users Lobby and those members
21 of Congress and the D. C. Department of Highways which it has
22 in its thrall are telling and will tell you that the proposed
23 freeway system will improve the flow of traffic to and from
24 the city. This is not proven and cannot be. They will tell
25 you it will aid in getting residents to places of employment

1 outside of a city. This is not true and cannot be. Will the
2 freeways make the jobs for these people? They don't exist now.

3 They will tell you that the freeway plan will reduce
4 traffic on local streets, and actually improve the neighborhood,
5 both sociologically and economically. This is not proven and
6 cannot be.

7 In short, not one single argument offered as a reason
8 for urban freeways has ever been proven by its proponents and
9 no argument -- nor the sum total of all arguments for urban
10 freeways overcomes the damage that has been done where ever they
11 have been developed. In an area already blighted by smog, this
12 plan would bring more of them, and in a city already impacted
13 by the polluting car, this plan would compound the felony. In
14 an area where families have struggled to live side by side in
15 homes of their own, this plan would eliminate these homes.

16 The BCTC argument that these freeways in the District
17 are white man's roads through the black man's homes is no hollow
18 cry. In all urban freeway plans in this nation, this has been
19 the practice. The present design for freeways in this city is
20 a racist design by racist designers to satisfy the appetities
21 of those racist Congressmen who would force the deterioration
22 of this city because they can't stomach the rise of the black
23 man because they fear to face their constituents in their
24 districts if they support a black majority in the District of
25 Columbia. Yet not in one single Congressional district of the

1 United States would these same constituents permit the passage
2 of such mean law as these despots have imposed upon the citizens
3 of this capitol.

4 The members of Congress responsible for this Act know
5 it; the city's major news media which have bowed in humble
6 submission to this Act know it, that shameful press. That
7 press that says to its District subscribers, we know it is
8 tyranny but Congress says so, so we must; the shameful lazy
9 press. The city is ridden with crime, with pollution. People
10 are trying to add 43 percent of its property already poured
11 over with cement; housing problems; child-care problems; and
12 the suburban oriented press will devote its principal city
13 page to the easy stories about the lead horse at Ft. Myer or
14 when to go to the Zoo.

15 They will take the pat fed them by Mr. Airis and
16 the Highway Users Lobby, the Hahn poll or the version of the
17 Quayle poll and fill up all of the newsprint needed. They don't
18 even get up and look around. I am witness to the fact that they
19 didn't even have to leave the Council Press Room to get every
20 inch of copy that was printed on these phoney new proposals.
21 Mr. Airis delivered those stories personally. Some of them
22 didn't even get up from their chairs.

23 They asked Mr. Airis if he was telling the truth,
24 and Mr. Airis said he was, so they printed it. How is that
25 for honest, fearless and tireless reporting of this route?

1 (Applause.)

2 Even the city's eminent clergy cannot get away with
3 that free hand. The press in this city and the media they
4 control are as committed to the Highway User's Lobby as our
5 Mr. Found and Mr. Klusenski -- a shameful, lazy, suburban-
6 oriented press. Their favorite poll, the Quayle poll by the
7 way reported that more people -- that the more people were
8 informed about urban freeways, the more they opposed them.
9 One wonders when the press might get the message; when the
10 press might get informed.

11 You members of this Council can do something. You
12 can be a public force in reacting to the will of the citizens,
13 and you can be a major influence on the Mayor by reacting to
14 this will. There are several steps the city might take to
15 stop this unjust action. The Mayor can say he will not pro-
16 ceed with the program. I doubt they will put him in jail.
17 He has said he will not construct a road through the U Street
18 Corridor. He can say more.

19 The Council can insist on full studies and complete
20 hearings in accordance with the Federal Highway Act of 1966, as
21 is required by the Federal Highway Act of 1968. Except for
22 positive action by Mayor Washington, however, these are only
23 delaying tactics and these are in response to mean law. The
24 discussion Thursday and Friday night as to the legality of the
25 city's action is not germane. If we comply in any of the

1 foregoing ways or by recommending no more freeway programs,
2 you know and I know that Congress will involk Section 903 of
3 Title 9, the Appropriations Act for the District of Columbia,
4 that famous Broyhill amendment supported by the champion of
5 the common men when he is well and healthy, Representative
6 Brock Adams.

7 This will cut off all funding whatsoever for the
8 District of Columbia, except money for law and order. And,
9 incidentally, this was lobbied for by Mr. Johnson's outfit,
10 the D. C. Trucker's Association. This is the sore that hangs
11 over our heads. Let's face up to it. This is the issue, and
12 if Mr. Yeldell were here, this is still the same issue it was
13 last August. These issues have not changed in spite of him.
14 And they will not change; this is the issue, but this is also
15 the moment of our truth and this is the moment when we must
16 stand up and be counted in a court room text of this infamous
17 and most illegal amendment, and make sure that the fault be
18 where it belongs, with Congress.

19 The courts of this land have ruled that the Highway
20 Program in this city was illegally developed, and yet the
21 citizens of this city have denied the right give to all of our
22 American citizens, the right to enjoy the justice of the courts.
23 Now, we, the citizens, who are charged with no crime cannot
24 seek the protection permitted the citizen charged with the
25 most heinous crime, the protection of the courts. When the

1 Federal Court rules in favor of the citizens of this city,
2 Congress orders the city to proceed without regard to the
3 opinion of that court. This is an unjust act against the
4 citizenry if there ever was one. This act can breed other
5 acts.

6 Justice Brandice has said, "If a Government becomes
7 a lawmaker, it invites every man to become a law unto himself;
8 it invites anarchy. Accept disorder from Congress and be
9 ready for the next. Permit this travesty and on another court
10 decision, be permitted to have our schools taken from us by
11 legislation or our hospitals or our childcare centers. Man
12 has never bowed to just one foot of a despot and then walk
13 free. The despot will not permit this."

14 A vote in favor of this program is an act of racism,
15 a directive to pursue this program is an act of racism, the
16 dotting of an "i" of any contract advanced in this program is
17 an act of racism, and doing this act under the excuse or pres-
18 sure of racists makes it no less wrong. At this time in these
19 days --

20 (Applause.)

21 At this time in this day, it only makes the doer
22 more potent. So we, the citizens of this city and its
23 Commissioner and its Council, must take the action. In the
24 history of men, this city and its citizens are a textbook
25 example of a colony. We must face the issue now. The decision

1 taken by you on these phoney recommendations, the answer by
2 Commissioner Washington has got to be that we, the people of
3 the District of Columbia, are and of right ought to be free
4 and independent citizens.

5 (Applause.)

6 We will not be yoked into submission by mean men who
7 intend to enforce mean law upon us. Tell a Fallon, tell a
8 Pucinski, tell a Natcher, tell a Broyhill, tell the President.
9 By law you have ruled that you can deny us our subway. You
10 have ruled that you can deny us our hospital, our welfare,
11 our school. While if acceptance to your city-breaking, pollut-
12 ing, people destroying freeway plan is your price, our answer
13 is no, no, no.

14 (Applause.)

15 Continue to trample on the dignity of our heritage as
16 American citizens and the wrath of this city is on your
17 shoulders. In the history of free men, they have not long
18 suffered the tyrannical imposition of ruinous or legislation.
19 We will respond as have our forebearers, and you must incur
20 the responsibility for whatever recourse we take. We will be
21 heard as all citizens are ultimately to be heard. Yours is a
22 choice on how you hear us.

23 Mr. Chairman and members of this Council, deny these
24 proposals before you, demonstrate that you do represent the
25 citizens who have consistently presented a majority opposition

1 to this program, deny these proposals and insist publicly that
2 the Commissioner deny them. Repudiate the viscious action
3 taken last August on the Three Sisters Bridge. Remind Congress
4 that that section of the Constitution of the United States
5 which concerns the governing of the District of Columbia is
6 not a license to legislate the citizens of this city into
7 subjugation, but a mandate to insure that all protections,
8 all rights of redress and all freedoms guaranteed to all citi-
9 zens are enjoyed by the citizens of this nation's capitol.

10 (Applause.)

11 Then raise your heads and walk with your brothers
12 in this city knowing you have had your day in assuring that
13 freedom.

14 Thank you, very much, Mr. Chairman.

15 (Applause.)

16 COUNCILMAN MOORE: Thank you, Mr. Kelly, for the very
17 forthright testimony. By the very temper of your testimony,
18 it speaks very frankly against any more freeways in the District
19 of Columbia. I am sure that you have a great number of fellow
20 citizens who share that point of view. And I would like to ask
21 my fellow councilmen if they should like to comment or ask you
22 any questions. Mrs. Haywood? Councilman Haywood?

23 COUNCILWOMAN HAYWOOD: No questions, Mr. Chairman.

24 COUNCILMAN MOORE: Councilman Robinson?

25 COUNCILMAN ROBINSON: Thank you, Mr. Kelly. Mr. Kelly,

1 you answered one of my questions, but I would like you to
2 reiterate this again.

3 Were the Brookland residents consulted about the
4 North Central Freeway?

5 MR. KELLY: There has been one --

6 COUNCILMAN ROBINSON: Before this plan came out?

7 MR. KELLY: There was one public meeting in Northeast
8 Washington at the Hines School held by Mr. Hechinger and
9 certain members of the Council prior to the decision in
10 December to vote against the freeway system. That is the only
11 public meeting, and in the face of the Federal Highway Act of
12 1966, Dr. Robinson, I don't think legally that could be called
13 a hearing, but it was the one public meeting and the only one.

14 Mr. Airis has allegedly come out and discussed this
15 with people, but there have been no public meetings and no
16 hearings, official legally designated hearings in the Brookland
17 area, no, sir.

18 COUNCILMAN ROBINSON: Could you give me the number of
19 organizations in the Brookland Coordinating Council?

20 MR. KELLY: Yes, I would like to correct Charlie
21 Cassell on that. It is 24, not 18.

22 COUNCILMAN ROBINSON: How many of these organizations
23 were against the freeway?

24 MR. KELLY: The latest inquiry on this at a meeting
25 in January had a show of hands, gave an indication that all

1 organizations present had been against the freeway. There has
2 never been one organization that I know of that has come in
3 favor of the freeways. A certain segment, as I understand it,
4 of the Catholic University is taking a lighter position on the
5 situation. However, as a whole, all of these organizations
6 have consistently opposed the freeway.

7 COUNCILMAN ROBINSON: In other words, 100 percent?

8 MR. KELLY: Yes. The Brookland Civic Association
9 which lies in the path, the most affected area.

10 COUNCILMAN ROBINSON: Well, you probably heard
11 several speakers say that with the North Central Freeway coming
12 through Brookland, it would be more economic opportunities,
13 more recreational areas would be increased. What is your
14 thought on that, sir?

15 MR. KELLY: Dr. Robinson, they plan to take the
16 Harmony Cemetery for parking at the south-end of the freeway.
17 There is going to be at the Rhode Island Avenue end of the
18 North Central Freeway -- there's going to be an inter-change at
19 Michigan Avenue. This will take up a large chunk of Turkey
20 Thicket for access to the freeway. They will take up the
21 rest of Turkey Thicket then for fringe parking. There are no
22 plans that I know of -- there's one plan for a school on the
23 other end of Turkey Thicket.

24 Now Turkey Thicket is one of the very, very few
25 large areas for playgrounds in the District. Children are

1 bused to that area from all sections to play there because of
2 its size. They can play two or three football games, but
3 there aren't any other places like this in the District of
4 Columbia. And the plan of our Highway Department is to take
5 it and be damned, there is no plan for another, an alternative
6 solution to their taking Turkey Thicket.

7 These are examples of what is happening. There are
8 no plans for any parks; there are no plans within the Highway
9 Department's scheme of things for a school. There is a plan
10 for an alternate Brookland School which plan can be considered
11 most objectionable because it takes up so much of Turkey
12 Thicket, but within the Highway Department program there are
13 no plans, and I have yet to find out whether they even have so
14 much as had lunch with members of the Park Commission or the
15 Department of Education to find out what is going on.

16 And, incidentally, sir, any plan of the Highway
17 Department that includes these things, including housing as
18 Mr. Airis said, he would not move a person without there being
19 adequate housing, and Mr. Airis can't hang onto that proposal.
20 If these plans are approved, and Mr. Airis is told to build,
21 Mr. Airis could come here before you Council members, shrug
22 his shoulders and say, "I couldn't help it. They made me
23 build." There is nothing down on solid paper that will permit
24 Mr. Airis to hanging on to that proposal, and I can bet you the
25 Highway Users Lobby isn't going to let him.

1 COUNCILMAN ROBINSON: Could you tell me where 100 and
2 something displaced families would get comparable housing that
3 we have in Brookland?

4 MR. KELLY: No, sir. They can't go into the suburbs,
5 mostly because they are black, and they don't have the freedom
6 to move in the suburbs. They can't get the housing for the
7 money that has been offered to them even if you hand them the
8 \$500. The subject -- really, we weaken our situation, Dr.
9 Robinson, when we decide to discuss where these people can go
10 to. They should not have to go, and that should not be an
11 item of discussion. There is no proof that that freeway needs
12 to go through there. No one has proved it, so when we talk
13 about the moving out or relocating, this is not germane.
14 They should not have to.

15 These people, and you know how hard it was 15 years
16 ago to get mortgage money to come out and buy a house in
17 Brookland. These people had to come out and fight and burden
18 themselves with high interest, second mortgages, and they did
19 it. And they built themselves homes, and they are there now,
20 and I know them all, enough of them to love them. And they
21 cannot go and do the same thing again, and why should we ask
22 them to.

23 COUNCILMAN ROBINSON: Do you agree with the speaker,
24 Mr. Kennedy, the other night? He said that Brookland is a
25 beautiful coordinated integrated community.

1 MR. KELLY: Yes, sir. I do. As you well know,
2 Brookland has its problems. We have things that can be done
3 out there as far as integration, as far as anything else, but
4 no where in the District of Columbia, do you find such a
5 naturally developed integrated, well coordinated area as that
6 school.

7 COUNCILMAN ROBINSON: Just one more question, sir.
8 In the area of the North Central Freeway, about how many
9 Brooklandites would be using that and what percentage of that
10 would be suburbanites?

11 MR. KELLY: I can't give you that specific figure.
12 We have those figures, but if it is one percent of the subur-
13 banites, I would be amazed. It would service no useful purpose.

14 COUNCILMAN ROBINSON: One percent of suburbanites
15 and one percent of the Brookland residents would be using it.

16 MR. KELLY: One percent of the users of the freeway
17 would be Brooklandites.

18 VOICE: I would like to announce something. Dr.
19 Robinson, you can't go on the freeway.

20 COUNCILMAN MOORE: The witness is at the table.

21 COUNCILWOMAN HAYWOOD: Mr. Chairman?

22 COUNCILMAN MOORE: Councilman Haywood?

23 COUNCILWOMAN HAYWOOD: Thank you, Mr. Chairman.

24 Mr. Kelly, we have numerous witnesses to come and
25 tell us, of course, that they don't want the freeways, and

1 that fact alone is not the fact that we really need to get to.
2 I was at a meeting at the Morgan School a few nights back
3 before these hearings began at which people in that community
4 expressed their concerns, and I requested at that time that
5 some of the persons who give us with the legal opinion that
6 we are not bound to do this and that. That this and that
7 can't happen if we do this and that, but I find that most
8 witnesses want to deal in rhetoric and castigate us as if we
9 were already prejudged, rail at us, but not yet has a witness
10 provided me with any legal documentation on the ramifications
11 on the situation.

12 Will you be able to inspire such a submission?

13 MR. KELLY: U. S. Court of Appeals for the
14 District of Columbia ruled this freeway illegal in February of
15 1968, and then Congress said without regard to this, you will
16 build. Now I don't have to be a lawyer, and I don't care what
17 the lawyers talk about. This is unjust. I don't -- I have
18 just been deprived of privilege of the courts. Again, we can
19 get bogged down in this in terms of legality. It is nice to
20 talk about the legality, but when it hurts, that is unjust.
21 I don't know what the law is on this. I am not a lawyer. But
22 I sure do know when Congress rules against the best interest
23 of the majority of the citizens of this District and against
24 what they want, and if we are afraid because of the consequences
25 of the law, we have lost the battle for everything in the

1 District of Columbia because Congress can take it away from
2 us anytime they snap their fingers. And they will start it
3 the minute we put our necks down on this one.

4 (Applause.)

5 This is illegal just as long -- is legal, rather,
6 as long as Congress wants it to be legal, and as long as we
7 succumb to it and don't contest it. It is now being contested
8 in the courts, but you people can't wait for that, and you
9 know it.

10 COUNCILWOMAN HAYWOOD: Well, we might want to contest
11 it with the Congress. I am asking now, I am asking, I happen,
12 Mr. Kelly, to be a lawyer so I have to be concerned with the
13 law. So I am asking and this is what I have been doing. I
14 have not concerned myself a great deal with questions about
15 where are people going to move except that I feel that that is
16 a part of the matters that do have to be taken up in the
17 hearing. But this doesn't concern me so much as to where
18 people are going to move and where the money is coming from
19 to give this \$5,000 more than value because I know that these
20 things contain a great deal of variables. What is \$5,000 for
21 one person is not \$5,000 to another; what is fair market for
22 one is not fair market value to another. So I am really
23 trying to explore the ways in which the citizens of the District
24 of Columbia, and they are telling us this expect us to imple-
25 ment it.

1 MR. KELLY: I can only say the way that Mr. Tucker
2 said -- rather Mr. Hechinger, and Reverend Channing Phillips
3 said, these men who may have a feeling for the people of the
4 District of Columbia and these are men who have been in the
5 area of legislation, and these are the men that said to you,
6 as I say to you now, the answer to Congress is no, no, no.
7 And as Mr. Hechinger said, let the blood be on your hands.

8 VOICE: Their hands.

9 MR. KELLY: I beg your pardon, their hands. I was
10 quoting Mr. Hechinger directly.

11 COUNCILWOMAN HAYWOOD: I think you made some reference
12 in your testimony about the possibility of Congress taking away
13 hospitals and taking away schools and taking away a number of
14 other things. Were you saying, as you gave that portion of
15 your testimony, that the citizens of the District of Columbia
16 are willing in the face of resisting the freeways that that
17 risk be run?

18 MR. KELLY: Mrs. Haywood, I am a free man. I intend
19 to live in the District of Columbia for all of my life, and
20 raise my children here. I do not intend that Congress, against
21 my will and with a high degree of consistency, as long as my
22 will is the will of majority, will deprive me of anything
23 because of the pressures of a \$55 billion hungry lobby and that
24 is what is happening here, and I will stand in the streets of
25 Washington, D. C. and defy them. And I'll do it every day,

1 and I'll take my children with me, and I would like you to
2 come down and join me.

3 (Applause.)

4 COUNCILWOMAN HAYWOOD: Well, I appreciate that, but
5 your purpose for being here is possibly to avoid -- to find
6 a way to avoid coming to that, isn't that right?

7 MR. KELLY: That's true. Your position as Councilman
8 is such that if you take a strong action in opposition to this
9 mean law that Congress has passed, that you will stand tall
10 with your brothers; that you will be loved by this District,
11 and that the consequences, if there are any, will be on the
12 hands of Congress, and I don't think Congress is going to face
13 this nation and this world and let it happen.

14 (Applause.)

15 COUNCILWOMAN HAYWOOD: Thank you very much.

16 COUNCILMAN MOORE: Thank you, Mr. Kelly, for your
17 very strong and forthright testimony. I assure you it means
18 a great deal to us here on the Council.

19 MR. KELLY: Thank you very much.

20 COUNCILMAN MOORE: Mr. Stanley Sher, Connecticut
21 Avenue Association Committee Concerned for K Street.

22 Mr. Sher, we are very pleased to welcome you.

23 TESTIMONY OF

24 STANLEY O. SHER

25 CONNECTICUT AVENUE ASSOCIATION
COMMITTEE CONCERNED FOR K STREET

1 MR. SHER: Mr. Chairman, if I might, I am offering
2 a full statement for the record. The hour is getting late,
3 and I will hope to summarize the more important parts of it,
4 and assume that the full statement being in the record will
5 be given credence by the Council.

6 Mr. Chairman, Members of the Council, my name is
7 Stanley Sher. I am an attorney with the Washington law firm
8 of Bebchick, Sher & Kushnick. This formal statement says that
9 my partner, Mr. Bebchick, is with me. Quite obviously, he is
10 not. Mr. Bebchick is out of town.

11 We are appearing here today on behalf of the Connec-
12 ticut Avenue Association and the Committee Concerned for K
13 Street. The Connecticut Avenue Association was founded in
14 1921, consists of over 75 businesses and individuals in the
15 area bounded by H Street on the northwest -- I am sorry.--
16 bounded by H Street, Northwest, on the south, Florida Avenue
17 on the north, and extends in an east-west direction for two
18 blocks on either side of K Street. The Committee Concerned for
19 K Street is a group of about 35 businesses, individuals and
20 property owners located on K Street.

21 The Committee was recently mobilized specifically
22 to speak on behalf of and convey the views of the K Street
23 community concerning the North Leg Freeway.

24 We briefly summarize our position on page 2, and I
25 think that I will attempt to summarize that a little more.

1 One. We do not oppose the Department of Highways'
2 report requesting an additional 18 months to study, but if
3 that study goes forward, we believe that it is vitally important
4 that the study come to groups with the primary question which
5 has never been faced on the North Leg. And that is: Is there
6 a need for it? We want to see some hard traffic statistics
7 as a first step, and particularly, we want to see what need a
8 tunnel under K Street would serve. But, naturally, we are
9 adamantly opposed to a tunnel under K Street.

10 We also want to make it clear, and I think this merits
11 some emphasis because there seems to have been some misunder-
12 standing in the past. We do not favor the U Street alignment
13 for the North Leg. We are adamantly opposed to the U Street
14 alignment for the North Leg. The reason for that is the
15 obvious one. The high displacement of families in the U Street
16 Corridor is outrageous. Anyone that has a genuine interest in
17 the District of Columbia cannot support that proposal.

18 Now, if for some reason, you do not request the 18-
19 month extension, then we think there is only one valid alterna-
20 tive to the North Leg proposal. That is that you ought to file
21 under Section 23(c) of the Highway Act, your recommendation
22 that the North Leg be abandoned. If you are not going to study
23 it, then I think you have to abandon it.

24 We say this because you do not have any statistics in
25 the analysis before which would enable you to make a selection

1 of the North Leg. I might add that I have spent a number of
2 days over the past few weeks attempting to get some statistics
3 and some analysis of the North Leg. The most we could come up
4 with were some fragmentary facts, and the conclusion as stated
5 in the Highway report that the study for the North Leg in this
6 area was abandoned in 1968, and has never been resumed.

7 Of course, this makes it every difficult to testify
8 on a freeway; we don't have one before us. Basically, we
9 feel we are testifying on a request for an 18-month extension,
10 but in the off-chance that the Council is considering a tunnel
11 under K Street as a recommendation, we urge you not to do this.
12 This would be a tragic mistake at this point.

13 First of all, assuming the Department of Highways'
14 analysis of the inner-loop situation is correct, they state
15 that the purpose of the North Leg is for distribution for
16 traffic to the downtown area. Now, gentlemen, we are talking
17 about a tunnel, a two and a half mile tunnel which has no
18 access or egress at either end. I think it is absolutely clear
19 that this tunnel cannot, under any circumstances, provide a
20 distribution to downtown traffic.

21 In other words, the tunnel doesn't even serve the
22 basic purpose for which the North Leg was originally proposed.
23 We really ask the logical question, that a study should answer
24 if it goes forward, and that is: Who is this K Street tunnel
25 going to serve? To the best of our knowledge, this is not a

1 commuter pattern. It certainly won't serve the downtown area.
2 For those that want to drive across the city via freeway, if
3 the South Leg is going to be constructed, that seems to be a
4 reasonable alternative. We just don't see any basic need for
5 the North Leg. In other words, the North Leg and particularly
6 the K Street seem to us to have all the makings of a white
7 elephant. It is not designed to handle the peak commuter
8 traffic, and it certainly will not as the rubic goes, bring
9 the people back to the city.

10 But like all true white elephants, the cost is
11 absolutely astounding. On the figures that we have, it would
12 be the most costly freeway yet built in the District of
13 Columbia. Conservative estimates are that it would require
14 over \$70 million per mile or a total of over \$170 million for
15 only the west portion of the North Leg.

16 For the entire North Leg, the cost will substantially
17 exceed \$200 million. Coming a little closer to home, we are,
18 of course, vitally concerned about the probable effects of the
19 construction of this tunnel on the K Street community. Some
20 of the consequences are all too well known, but some of them
21 are unknown because we don't have any plan before us.

22 I don't intend to belabor what we set out in this
23 statement about the dilaterious effects of construction and
24 massive construction on a community like this. We set out
25 various examples; Market Street construction in San Francisco

1 for the subway; 6th Avenue subway construction in New York;
2 and of course, we have our own classical example in the Dupont
3 Circle Underpass.

4 The problem with this construction is that it usually
5 affects those people in the business community least able to
6 withstand it. What I mean by that is that you usually find,
7 and you did in the Dupont Circle area, the marginal businesses.
8 And, gentlemen, this city needs marginal businesses, going under
9 when you have this kind of construction. In other words, this
10 is not a concern that this is a nuisance or an inconvenience.
11 Our concerns go way beyond that.

12 I might mention that last night in preparing this,
13 I got out some old newspaper clippings from the associations --
14 newspaper clippings from the association's file, and there
15 were clippings on the Dupont Underpass. It made interesting
16 reading up to a point, but there were a number of really devastat-
17 ing stories about people. Like one or two businesses, small
18 businesses that had been in the Dupont Circle area for 17 years,
19 and after the construction which only took two or two and a
20 half years -- and in the course of the tunnel, of course, it
21 would take much longer -- just could not withstand that kind
22 of construction in front of their door and they had closed.

23 I think it is also important for the Council to keep
24 in mind that there is a subway station planned at Connecticut
25 and K. It calls for a cut and cover from K Street up Connecticut

1 to above M.

2 Now, if you build a K Street tunnel, and you have
3 this two and a half year subway, cut and cover construction on
4 Connecticut Avenue, you would literally have connecting
5 trenches with Connecticut Avenue and K Street. It seems to us
6 that any planning sensitive to community interests would not
7 let this occur. I don't mean I think to belabor the importance
8 as a social center or as a source of real estate and other
9 taxes, the K Street area. One only has to step out on the
10 street to see that it is a vital and booming street, and we
11 hope it will be kept that way.

12 In our statement, we refer to an appendix attached
13 to the statement setting out some employment statistics for
14 K Street and certain other analysis. That is not attached, but
15 we hope to supply it later. The point is that when you look
16 at the K Street tunnel, and you see that it will not --
17 actually cannot serve the downtown area, then it seems that
18 it would be ironic that in the process of planning this freeway
19 which admittedly can't serve the downtown area, it may well
20 decimate it in the process.

21 I would like briefly to touch on a few of the
22 unknowns of the K Street tunnel on things that ought to be
23 studied if a study is to go forward. We know that a six-lane
24 tunnel would require underpinning of various buildings, but
25 we don't know which buildings; we don't know for how long; we

1 don't know what kind of damage would be done. We also wonder
2 whether the street floors, the lower floors would be made
3 unusable by this kind of underpinning.

4 Also before this project goes forward or goes any
5 further, we need to know how the automobile exhaust fumes
6 are going to be vented through this 2-1/2 mile tunnel. We
7 understand, and this is purely, and I guess almost in the
8 rumor category at this time, that you would need at least
9 three major vent stacks on K Street to vent the exhaust fumes
10 from this tunnel. Whether the buildings would have to be
11 condemned with a resulting loss of revenue and employment or
12 whether it could be done by altering the buildings, seems to
13 be the subject of some dispute. But the important point is that
14 these ought to be set before the community in a plan before
15 anything further is done on K Street.

16 And most important in this regard, the public ought
17 to be told how these automobile exhausts are going to be
18 vented into the air on K Street.

19 Another unknown which I think is very important, and
20 it seems to us at least in the first two nights of hearing to
21 be overlooked in considering the K Street alignment is con-
22 sidering the families and businesses. It is often assumed
23 that when you use the word tunnel, that there are no displace-
24 ments at all. This is absolutely not so with the K Street
25 tunnel. Apart from the displacements that will occur from the

1 exhaust stacks, we understand that at least 183 families will
2 be removed from their homes by the K Street tunnel. Also, we
3 understand that 14 businesses will be displaced by the K
4 Street tunnel.

5 Now, these displacements are only for the western
6 portion of the North Leg. If you take the entire North Leg,
7 you have a displacement of 625 families and 73 businesses. We
8 think that is substantial displacement, and we think we should
9 not be led into the misbelief by the use of the word tunnel
10 that there would be no displacement to families and to businesses.

11 There are, of course, a number of other things we
12 would like to know about the K Street tunnel before it is con-
13 structed, and it ought to be set forth in a study such as how
14 traffic would be removed from the tunnel when we all know about
15 stalled vehicles in the middle of a tunnel of this size.

16 And, incidentally, speaking about the size of the
17 tunnel, there was some discussion earlier about whether a
18 5800 foot tunnel would be the longest tunnel of this kind
19 ever constructed. The K Street tunnel under the present
20 thinking would be over 12,000 feet long. I think that probably
21 wins the award by far.

22 Well, I think I have said enough to make it abundantly
23 that, at a minum, a study of the North Leg is demanded. The
24 simple point is that no one, including the Highway Department,
25 is in a position to recommend acceptable north route leg.

1 I don't intend to take any more of your time than
2 necessary with protracted legal arguments, but as I would as we
3 move to the close of the testimony, like to point out a few
4 legal considerations that we think are critical.

5 The first one is that as we read the Highway report
6 letter to you dated January 12th concerning the North Leg, they
7 say -- and I could be corrected, but it seems rather clear to
8 us, that any recommendation on the North Leg now would violate
9 the hearing requirements of Title 23. We fully concur in that
10 opinion and not only would the recommendation on K Street at
11 this time be unwise, but it would in our opinion clearly be
12 unlawful. And it's just never been submitted to hearings in
13 accordance with the Title 23 requirements.

14 Now, we believe the Highway Department concurs in
15 our approach --

16 COUNCILMAN MOORE: May I ask the witness just a moment.
17 I think you gave something of a legal opinion on that point,
18 and I don't think I got it.

19 MR. SHER: Well, let me go back. The Highway
20 Department's letter to you, I believe it is to you, on January
21 12th, 1970, which accompanies the North Leg Report, the one-page
22 report reads -- the key sentence that I am referring to reads
23 as follows:

24 "All alternatives, however, have not been completely
25 explored nor has the matter been presented to the community

1 through public hearing as required by Title 23 of the
2 U. S. Code."

3 I think they are referring specifically to Section
4 128 of Title 23 which provides that all interstate highways
5 must be the subject of public hearings.

6 Under that Act, the Department of Transportation
7 has published rather extensive explanations of what types of
8 hearings, what will set aside a requirement -- as a matter of
9 fact, there is two hearings. There is a location hearing, as
10 a matter of fact, which we never had and the design hearing,
11 which we certainly have never had. But I think what the Highway
12 Department is saying here, and I think they could certainly
13 correct me, but I think it's very clear they are saying on the
14 North Leg route you have never held the public hearings required
15 by Title 23. You cannot recommend a location for the North
16 Leg, this go around.

17 I think it is clear that, of course, they cannot,
18 and I think it is proper opinion.

19 I also won't belabor you any more with legal opinions.
20 We do set out some analysis of it in our statement except to
21 state the conclusion. And the question has arisen as to what
22 will or will not comply with Section 23(c) of the 1968 Highway
23 Act. I think this is perhaps one of the questions that lawyers
24 can argue about, but it seems to us, and we haven't heard anybody
25 give a contrary opinion on this, that there is one thing that

1 will, one recommendation that clearly will comply with the
2 23(c) mandate, and it will comply specifically with the North
3 Leg, and I mean to rule out the other, but that is the one
4 route that we are focusing on. The recommendation that will
5 comply with 23(c) is a recommendation that the North Leg be
6 abandoned.

7 (Applause.)

8 It seems to us that is available. The clear wording
9 of the statute talks about filing recommendations including
10 alternative routes or plans, a recommendation to abandon the
11 North Leg route is clearly a plan. As a matter of fact, it
12 is a very affirmative plan. What I am saying is, that I think
13 almost as a legal matter, but I think it is a matter of basic
14 fairness, you really had two alternatives on the North Leg.

15 One, you can request the additional time for study.
16 If you have some questions about the implications of that, I
17 think there is no alternative but to recommend that the
18 North Leg be abandoned. If you don't, I think you are going to
19 pick a route, and of course, we are deathly afraid it's going
20 to be K Street out of a hat. And it's going to make about as
21 much sense as a lottery.

22 And in conclusion, let us say that our basic position
23 is that as a matter of fairness and as a matter of the District
24 of Columbia's welfare, if it comes down to recommending K
25 Street without studies or hearings or abandoning the North Leg,

1 then we should recommend that it be abandoned. The K Street
2 alliance should not be forced in the District of Columbia by
3 its own government on the absurd procedural notion that you had
4 no time for consultation with the community or for meaningful
5 hearings.

6 Thank you.

7 (Applause.)

8 COUNCILMAN MOORE: Thank you very much, sir, for this
9 very meaningful testimony. It is very well worded, and very
10 well written. I would ask my fellow councilmen if they wish
11 to ask questions. Councilman Haywood?

12 COUNCILWOMAN HAYWOOD: Thank you, Mr. Chairman.

13 Mr. Sher, I want to thank you very much for what I
14 consider very helpful presentation. Is it your understanding
15 that Section 23(c) requires study and recommendations?

16 MR. SHER: Yes, yes.

17 COUNCILWOMAN HAYWOOD: So that recommendation without
18 study, what does that mean?

19 MR. SHER: Well, I don't think that complies but
20 our opinion, and I think that in any common accepted sense of
21 the word, that council is conducting a study on the North Leg;
22 you opened this up for hearings; you have heard voluminous
23 testimony; I think that is a study, I think, by any accepted
24 sense. It is not an engineering study, so you can't accept a
25 route, but you are studying the situation on the North Leg. I

1 think any common accepted, and it looks like these hearings are
2 going to go on forever at this point -- I would say an extensive
3 study, and you have heard a lot of testimony on the North Leg.
4 There is no route before you, so I don't think you can recom-
5 mend a route, but you can recommend a plan. And I think a plan
6 would be abandonment, which you might do, and I think the wording
7 would be crucial.

8 And I think that the cartbefore the horse argument is
9 crucial. You might, to protect yourself under 23(c), go ahead
10 and recommend that -- you could say this out -- that nobody
11 before the hearing has testified in favor of the North Leg and
12 go on to this, whatever you can do on the matter, study the
13 matter and after reviewing 23(c), your recommendation is that
14 the North Leg be abandoned. But the District will proceed to
15 study it for the next 18 months to see whether abandonment
16 was warranted.

17 I wouldn't do it the other way around. I am afraid
18 your abandoning the recommendation might not carry the day. I
19 think you might very well on this, maybe a politic way to approach
20 it, recommend that it be abandoned and in light of the legal
21 implications, but say that you will go ahead and study it and
22 request the time. Go ahead and study it; I think that is
23 another thing.

24 I think if you are not going to study it, I think,
25 well, it ought to be abandoned. I mean this is -- the 1968

1 Thoroughfare Plan that has been referred to with such reverence
2 talks about downtown distributors and tunnels under K Street,
3 and tunnels under E Street Expressway connections. It doesn't
4 say anything, except it says we ought to go ahead and study
5 them. I mean I think that there are times you have to come to
6 grips with this, but I think from a legal point, you ought to
7 say abandonment and go ahead and recommend study if you want.

8 COUNCILWOMAN HAYWOOD: How would you contrast that --
9 compare, say, the same kind of people with respect to the
10 North Central?

11 MR. SHER: You mean the legal implications or the
12 practical implications?

13 COUNCILWOMAN HAYWOOD: Yes.

14 MR. SHER: I don't think, from what I know of the
15 situation, that you could divorce legally the North Central
16 Freeway from the North Leg. I don't think so unless there is
17 something I don't know, that may be going back five or six years
18 on the hearing points, but they are both in the same paragraph
19 and governed by the exact same language in the 1968 Highway
20 Act. In fact, neither are specifically referred to. They were
21 referred to as all other freeways that aren't listed above.

22 So by process of elimination, you can find out what
23 all other freeways are. They have the North Leg and the North
24 Central. I don't see how you could legally distinguish them.

25 COUNCILWOMAN HAYWOOD: So it is your opinion with the

1 same succession, the same report and recommendation, I should
2 recommend that that also be abandoned?

3 MR. SHER: Well, you do want -- now, let me just say
4 this. First of all, of course, this would be a purely personal
5 opinion, and I don't have the vaguest idea of what K Street's
6 position is on the North Central Freeway.

7 COUNCILWOMAN HAYWOOD: Well, I don't want to pin you
8 down.

9 MR. SHER: But, personally, it doesn't seem like a
10 very wise idea to construct it in the first place, but if you
11 get into the legalities of it, there is one distinction that
12 might be drawn. The same opinion applies -- further study is
13 a risky thing, and I think it ought to be abandoned if you
14 are going to abandon it. And I think that ought to be a prime
15 recommendation, but the distinction here, and I haven't really
16 given it that much thought is that evidently, you do have a
17 route alignment before you. In other words, there is something
18 you are considering is the North Leg. You are considering
19 only an 18 month extension.

20 There may be that distinction in the hearing require-
21 ments, but I still don't think that it would comply with the
22 1968 Highway Act hearing requirements. It is just so different
23 from what you have done here, it would just be hard to think
24 that that is wise.

25 COUNCILWOMAN HAYWOOD: Thank you very much. It was

1 very thoughtful.

2 COUNCILMAN MOORE: Councilman Robinson?

3 COUNCILMAN ROBINSON: Thank you, Mr. Chairman. The
4 Connecticut Avenue Association as well as Brookland is interested.
5 The Brookland area is where I am. And if I'm not mistaken, I
6 think it was your firm that recovered over millions of dollars
7 for John Q. Public, so I know that you are for the citizen,
8 is that true, sir, from D. C. Transit?

9 MR. SHER: That is correct.

10 COUNCILMAN ROBINSON: So I know you are for John Q.
11 Public. Now you came here speaking for the Connecticut Avenue
12 Association, but as a private citizen, could you give me an
13 off-the-cuff opinion about the North Central Freeway, whether
14 we need it out there? Have you given it any thought?

15 MR. SHER: Well, I guess this is why a lawyer should
16 not testify, but this is really a person opinion. I am a
17 resident of the District of Columbia. I was with you until
18 about 1:30 in the morning the past two nights, and there is
19 some testimony that really impressed me so far as the North
20 Central goes.

21 COUNCILMAN ROBINSON: For or against it?

22 MR. SHER: Against it, and I think one of the key
23 things really was, the Montgomery County situation as to whether
24 they are going to connect up with it. If they don't connect up
25 with the North Central Freeway, that's a real white elephant,

1 I think; I mean that just doesn't do anything except displace
2 people.

3 (Applause.)

4 The other thing that I thought was very impressive
5 was Mr. Bain's testimony on induced traffic. You build a
6 freeway, and you get as many cars as it can possibly handle,
7 and I thought that would lead to the conclusion about how I
8 feel about the North Central Freeway.

9 COUNCILMAN ROBINSON: Thank you.

10 COUNCILMAN MOORE: Mr. Sher, you have said some
11 things here that interest very much tonight. I realize there
12 are some other witnesses who want to get to the floor, but
13 there are some legal things there that really excite me in your
14 testimony.

15 I would like to have the privilege of consulting with
16 you further, if I may, on some of these legal things that you
17 talk about. I am not a lawyer.

18 MR. SHER: Needless to say, we would be delighted.

19 COUNCILMAN MOORE: I would like to get your amplifi-
20 cations on it because a great deal of this whole freeway system
21 involves legal questions.

22 MR. SHER: I think that's true, but I think some of
23 the other witnesses who are non-lawyers indicated, I think you
24 will find, that when you really sit down and analyze all the
25 alternatives in the Act, you still have an opportunity to vote

1 your conscience. You are not that hemmed in; there are some
2 restrictions, but we would be delighted. We would be delighted.

3 COUNCILMAN MOORE: Thank you very much. We really
4 appreciate the testimony that you have given. I think it really
5 strikes at the heart of some of these legal questions that we
6 have got to face. Thank you, sir, very much.

7 (Applause.)

8 COUNCILMAN MOORE: Mr. George Boyd, Representative,
9 Model Cities Ward Councils for Trinidad.

10 Mr. Boyd?

11 TESTIMONY OF

12 GEORGE BOYD

13 REPRESENTATIVE, MODEL CITIES WARD

14 COUNCILS FOR TRINIDAD

15 MR. BOYD: Thank you, Mr. Chairman and Council
16 Members. My name is George Boyd, and my testimony is for
17 concerned citizens' organizations in Trinidad.

18 We are aware of the transportation problems in our
19 city; however, this is only one of the major problems confronting
20 us. Therefore, we cannot view the problems of transportation
21 alone, if we do, then we will fail to solve some of our other
22 major problems.

23 The residents of Trinidad are particularly interested
24 in the East Leg from Bladensburg Road to its connection with the
25 North Central Freeway as proposed in the report, "Recommendations

1 for a freeway in the Northern Sector and Related Policy," by
2 the Department of Highways and Traffic.

3 The residents of Trinidad strongly oppose the
4 construction of the East Leg as proposed by the Department of
5 Highways and Traffic for the following reasons:

6 One. Trinidad is mainly a residential area.

7 Two. With housing being one of the major problems of
8 the city, we can't afford the loss of the apartments and houses
9 that will be lost for such construction.

10 Three. Trinidad is a Code Enforcement Area, the
11 Government and residents are spending thousands of dollars to
12 bring the dwellings to conform to the D. C. Code. Two of
13 our present major problems are the cracking of walls and ceil-
14 ings. The East Leg would provide for additional heavy trucks
15 in the area, which would in turn, damage the walls and ceilings
16 by vibrations.

17 Four. The East Leg would provide means to greatly
18 increase the noise level in the area.

19 Five. Air pollution is already unbearable in the area
20 because of the large incinerator on Mt. Olivet Road and smaller
21 units are in a laundry and several apartments. More vehicles
22 would add to this existing problem.

23 Six. The Ruth K. Webb and Cromwell Elementary Schools
24 are located on the proposed route of the East Leg. In some
25 areas of the country, Black schools have been located near

1 railroad tracks where the noise level interfered with student
2 learning, now it is proposed to construct a highway at the
3 door step of the largest school in the area. This school has
4 a present capacity of 800 people, and there is a proposal to
5 add another wing which will increase the capacity to 1,200
6 people.

7 Seven. There is a great possibility that the pro-
8 posed East Leg would also create a safety problem for the small
9 youngsters while traveling to and from these schools.

10 Eight. The report of the Department of Highways
11 and Traffic discusses the issues of our increasing population,
12 and our future needs; yet its recommendation will cause demo-
13 lition of houses, apartments, and business which supports the
14 living while a cemetery on the opposite side of the street go
15 untouched. We ask the question are they really planning for
16 the future or for those of the past.

17 Nine. Services in Trinidad are extremely sparse, and
18 most of the businesses that would be displaced are needed very
19 badly.

20 Ten. The proposed East Leg would displace two
21 churches, namely Bethesda Baptist with a membership of about
22 1,500 and Mt. Vernon Methodist. These churches play a vital
23 role in the spiritual guidance of our lives. Further, there is
24 no available space to relocate these churches in the area.

25 Eleven. We believe that man's movement within the

1 city would be greatly improved by the use of mass transportation
2 at a reasonable rate. Therefore, man should be discouraged from
3 using his private automobile rather than encouraging him by
4 building more freeways.

5 It is our sincer hope that you give our testimony
6 serious consideration. Many thanks for giving us the oppor-
7 tunity to present our views on the proposed freeway.

8 This testimony is endorsed by the following organi-
9 zations:

10 Model Cities Ward Council 18, 19 and 20; Mt. Olivet
11 Heights Citizens Association, Inc.; Ivy City Trinidad Civic
12 Association; Ruth K. Webb School Parent, Teachers Association;
13 Wheatley School Parent, Teachers Association; Crommell School
14 Parent, Teachers Association; Owen Place 1200 Block Club;
15 Good Neighborhood Club; Bethesda Baptist Church; Mt. Vernon
16 Methodist Church.

17 Thank you.

18 (Applause.)

19 COUNCILMAN MOORE: Mr. Boyd, thank you very much
20 for this beautiful testimony that you have given on behalf of
21 these organizations named herein and of yourself. Now, one
22 thing that kind of -- I wondered throughout this whole bit of
23 testimony through which we have been going, how many square
24 miles of land would the freeway take up in the District of
25 Columbia? Say, for instance if the freeway is running through

1 Trinidad which, in my estimation, is a very small section of
2 the city -- I know the area quite well.

3 MR. BOYD: You are right. It is quite small.

4 COUNCILMAN MOORE: I just wonder how many miles of
5 territory the freeway would consume?

6 MR. BOYD: I don't know.

7 VOICE: Mr. Airis is right there. He should have the
8 paper.

9 COUNCILMAN MOORE: You are not able to answer that?

10 MR. BOYD: No.

11 COUNCILMAN MOORE: Do you have in your testimony
12 here how many homes will be displaced in that area?

13 MR. BOYD: Twenty-three busines, 157 houses, approxi-
14 mately 800 persons would be displaced.

15 COUNCILMAN MOORE: Do you know how many home units
16 are in that Trinidad area?

17 MR. BOYD: How many there are in the Trinidad area?

18 COUNCILMAN MOORE: Yes.

19 MR. BOYD: No, I don't. It is -- a majority of them
20 are private homes; a majority of the dwellers are private homes.

21 COUNCILMAN MOORE: Do you have many large families
22 living in the Trinidad area?

23 MR. BOYD: Well, I think what happened before with
24 the Code Enforcement Area, they are finding that the homes
25 are overcrowded because they find that there are families living

1 in the basements, and then peoples come in and they made the
2 first floor another apartment, and then the upper floor another
3 apartment, putting three apartments in one dwelling unit.

4 COUNCILMAN MOORE: What type of income groups do
5 you have living in the Trinidad area?

6 MR. BOYD: I'll say low and moderate.

7 COUNCILMAN MOORE: Low and moderate; would you con-
8 sider there are more low income than moderate?

9 MR. BOYD: Right, more low.

10 COUNCILMAN MOORE: This type of situation would strike
11 these people really hard, wouldn't it?

12 MR. BOYD: Right.

13 COUNCILMAN MOORE: Have you had any experience in
14 relocating families?

15 MR. BOYD: No, we haven't had any yet, but we will
16 have to face it probably soon because it is a Code Enforcement
17 Area, and there are some homes in there that is beyond repair.
18 And we will have to find some way of replacing those.

19 COUNCILMAN MOORE: The thing that occurs to me in a
20 situation like is the fact whether these type residents is
21 where these low income families, we have a bulk of them like
22 you have in the Trinidad area, and across New York Avenue,
23 north of that area, would not they be stricken harder than
24 upper income and moderate income families in the relocation
25 procedure?

1 MR. BOYD: They would be hit very hard.

2 COUNCILMAN MOORE: I am wondering also with respect
3 to the Trinidad area, you live in that area, don't you?

4 MR. BOYD: Right.

5 COUNCILMAN MOORE: Was there a program for redesign-
6 ing that area? I remember coming down West Virginia Avenue,
7 and on the corner of a house, there was a big sign, and there
8 was a specific program written on that sign board for that
9 area. Do you know anything about it?

10 MR. BOYD: Right. I think I made a statement in my
11 testimony that Trinidad is a Code Enforcement Area, and the
12 Government and the residents are spending quite a bit of money
13 to bring the dwellings up to the D. C. Code.

14 COUNCILMAN MOORE: What do the freeways do to that
15 program?

16 MR. BOYD: Well, again, the trucks will be coming
17 through, jarring it, and the ceilings and walls will crack
18 again. So this will all be down the drain. That is one of
19 the big problems that they are finding there; the cracking of
20 ceilings and walls of the homes.

21 COUNCILMAN MOORE: I know I am pressing this case
22 hard about what happens to people, individuals, under this
23 type of circumstance, but this is something that concerns me
24 very gravely. Sometimes it doesn't seem to me that the concrete
25 outweighs the human being.

1 MR. BOYD: Right.

2 COUNCILMAN MOORE: And this is something that gives
3 me a great deal of concern as to how much you have got of a
4 human being, and what happens to that individual in the total
5 process. Sometimes we say we are improving things, but are we
6 really improving, but who is it for, and I would like to ask
7 you this question.

8 If a freeway were built that you were talking about,
9 the East Leg, for whom would that freeway be built, so far as
10 the people in Trinidad is concerned?

11 MR. BOYD: Well, it would benefit them any at all
12 because they wouldn't be able to get on it unless they went
13 out of Trinidad and got on it some other way. So it wouldn't
14 be of any benefit to them at all.

15 COUNCILMAN MOORE: Where would they have to go to get
16 on it?

17 MR. BOYD: Probably up in the Arboredom.

18 COUNCILMAN MOORE: That would be further up Bladens-
19 burgRoad, across on the other side of Bladensburg Road?

20 MR. BOYD: Right.

21 COUNCILMAN MOORE: So it would be rather inconvenient
22 for the citizens in that area altogether?

23 MR. BOYD: Right.

24 COUNCILMAN MOORE: So you don't feel it would serve
25 the best interests at all?

1 MR. BOYD: No, I don't think so.

2 COUNCILMAN MOORE: Do you have any idea whose interest
3 it would serve?

4 MR. BOYD: Well, it would serve the people in the
5 suburbs or people who live farther out as far as that goes.

6 COUNCILMAN MOORE: Like where?

7 MR. BOYD: Well, people from Prince George's County
8 coming in.

9 COUNCILMAN MOORE: Councilman Haywood?

10 COUNCILWOMAN HAYWOOD: No, Mr. Chairman, no questions,
11 thank you.

12 COUNCILMAN MOORE: Councilman Robinson?

13 COUNCILMAN ROBINSON: No questions; thank you.

14 COUNCILMAN MOORE: Thank you very much, sir. Would
15 you file a copy of your testimony with the secretary?

16 (Applause.)

17 Mr. Lerner of Yellow Cab Company?

18 We welcome you, sir.

19 TESTIMONY OF

20 ROBERT LERNER

21 YELLOW CAB COMPANY

22 MR. LERNER: Mr. Chairman and Members of the Council,
23 it's good to be here, sir. Perhaps my few minutes of speech
24 will liven up some of the people behind me.

25 I first would like to compliment you, Mr. Chairman,

1 the way the hearings have been held. I was not able to be
2 here personally the first night, and I can tell you that it
3 came across television beautifully, and I think it was a great
4 service that was done to the city.

5 COUNCILMAN MOORE: Thank you.

6 MR. LERNER: You have sat through many hours of
7 freeway hearings, and you have raised many questions in regard
8 to the freeways and the impact upon our city. I would like to
9 take this opportunity to answer in my own ways a few of the
10 questions that have been raised.

11 Freeways play a vital role in the transportation
12 scheme of cities, and they have impact on all aspects of urban
13 life. Before delving into the specific issues of the freeways,
14 I would like to identify the taxi cab industry more closely
15 with the city, the people and the business community.

16 The following is a list of facts which we have
17 developed from Public Service Commission records:

18 There are 8700 licensed taxicabs in the District of
19 Columbia. There are approximately 13,000 faceholders or men
20 and women who are eligible to drive taxicabs. The industry
21 performs approximately 600,000 revenue trips per week or
22 30 million taxicabs revenue trips per year. Taking it a step
23 further, the taxicab industry provides service to 37 million
24 taxicab riders on an annual basis.

25 Taking it one step further and relating it into

1 revenue which goes into the pockets of the 13,000 taxicab
2 drivers, we estimate taxicab revenues in the District of
3 Columbia to be \$42 million a year. These facts clearly indi-
4 cate the scope and the importance of the taxicab industry.

5 It must also be remembered that the taxicab industry
6 is saddled with a fair system that strangles with congestion.
7 Because city traffic so often grinds to a stop, taxicab drivers
8 are less productive today than they were ten years ago. The
9 taxi meter will eventually be the only solution to protect
10 the drivers' livelihood from what I call, congestion erosion.

11 Let us now look at some of the questions that have
12 been raised. First, displacement -- in the past highway engi-
13 neers were not asked to plan as to minimize displacement.
14 According to past guidelines, the route which costs the least
15 was often the one that was followed.

16 Today, highway planners are working under a different
17 set of ground rules. I would like to point out that Mr. Airis'
18 statement Thursday night which clearly stated his intentions
19 of not displacing anybody until replacement housing is avail-
20 able, Mr. Airis is joined by many others.

21 Certainly, a Highway Department that did not have
22 some feel for the public welfare would not make a recommendation
23 such as Mr. Airis has made.

24 Another new concept at the national level which might
25 be applied here is that joint use and development of freeway

1 corridors. Even the Watts area is making use of this concept.
2 I recently studied a special report of the Highway Research
3 Board entitled, "Joint Development and Multiple Use of Transpor-
4 tation Right-of-Ways." This document goes into some detail
5 on this problem, and I was able to see some of the answers;
6 not all of them, but some of them.

7 We have heard reference to generated traffic on our
8 freeways. Surely, one must realize that through the years as
9 highways have been developed, there has been a generated use
10 of them. Without the use, why build the highways?

11 In the Washington Metropolitan Area alone, we know
12 that the projected population growth -- that there will be
13 generated traffic on our freeway system. But, is it not also
14 true for the Metro -- I would hope so.

15 This same generated traffic will also be felt on
16 the secondary street systems and even more so without the
17 projected freeways. We would only be kidding ourselves to
18 think otherwise. Without the freeways, the environmental
19 products of the smog and the exhaust from the cars would be
20 worse as described more than once on the hearings on 13th
21 Street and 16th Street. If we do not make the freeway program
22 available that the Council now has under consideration, the
23 congestion on Washington's secondary streets will, indeed,
24 become intolerable. Thereby, causing people to think twice
25 about making a trip, and then possibly not making a trip at all.

1 Good highways don't create congestion; they alleviate
2 it. Certainly, the Capital Beltway is a prime example of
3 alleviation. What would streets like East-West Highway be
4 like now? University Boulevard, Little River Turnpike, George
5 Palmer Highway? Sure, they are crowded now, but they wouldn't
6 be moving without the Beltway. The Beltway did not create this
7 traffic. It did not create the demand; rather the need for
8 mobility was there and the Beltway answered the need.

9 Also, I think it would be wise, although I am not
10 a real estate man, it would be wise to look around the Beltway
11 and see the development that has gone on around the Beltway.
12 The industry, the shopping malls, the retail establishments.

13 It is disturbing to me, of course, to read in the
14 papers merchants moving out of the city. Fortunately, many
15 merchants don't move entirely out of the city. They just cover
16 their right flank in Prince George's County or the left flank
17 in Montgomery County, but there was a time that the downtown
18 served the whole community.

19 Let us now look at another problem. That of tax
20 monies. Historically, downtowns have had the highest value
21 because they were centrally located, and the transportation
22 systems focused on them. As urban areas grow, downtowns need
23 improved transportation to maintain or increase their accessi-
24 bility. Certainly, we cannot afford to overlook this concept.
25 The Metro system as part of our transportation network will have

1 a great impact on the Washington area. And as it is developed,
2 along with the freeways, the two modes will provide a better
3 transportation system for the area.

4 We, in the cab industry, of course, are anxious to
5 have the Metro built because there is no question this will
6 take the commuter congestion down to a level that the cab
7 drivers will be able to move, the tourists, the business, the
8 out-of-towner, more freely on the streets of the District of
9 Columbia. Realizing that the Metro is projected to carry
10 approximately 27 percent of the peak load and our population
11 will grow to better than 30 percent before the Metro is com-
12 pleted, we must then realize that the Metro alone cannot solve
13 the problem. We are going to need the freeways.

14 Councilman Yeldell sits with you, and provide to you
15 the same information which has been provided to the Highway
16 Department, to Government agencies and to the business men of
17 the greater Washington area. We must also look to the develop-
18 ment of fringe parking areas along the various Metro routes
19 which provide a means for the commuter to leave his automobile
20 and take the Metro.

21 VOICE: Or take a cab.

22 MR. LERNER: I have heard the question raised that as
23 the freeways are developed then the ridership of the Metro will
24 fall off, especially in those areas where the systems run
25 together. Yet, this is disputed by the Congress Street

1 Expressway in Chicago, and the facts which have been documented
2 in urban mass transit. The author shows that two systems are
3 compatible and the ridership will not be adversely affected.

4 Now, if I may make one last point, on Friday night
5 reference was made to who was going to pay for the repairs to
6 the reeways. Repairs are not, I repeat, are not financed
7 through the general taxes of the residents, but rather the
8 monies for the repairs come from the highway users' taxes that
9 are paid by you, that are paid by our cab drivers, gasoline
10 taxes, registration fees, titling taxes, as an example. Each
11 of us who pays these taxes -- Mrs. Shackleton when she rides
12 in one of our Yellow Cabs, Mr. Abbott pays the taxes when he
13 rides the public transit. Surely all of us must want our
14 money's worth of value returned for our investment in the
15 highway system.

16 So let me state in closing, Yellow Cab of D.C. supports
17 the proposed plan of the Highway Department.

18 VOICE: How about your driver?

19 MR. LERNER: The North Central Freeway, the South
20 and the North Leg of the inner-loop, and that I encourage you
21 to take positive steps to see the freeway program is carried
22 forth to completion before this city is faced with escalating
23 costs that will go beyond imagination.

24 I thank you very much.

25 COUNCILMAN MOORE: Thank you very much, Mr. Lerner,

1 COUNCILMAN MOORE: Thank you very much, Mr. Lerner,
2 for your testimony. Now I would like to ask you one or two
3 questions.

4 I take it you represent Yellow Cab Company.

5 MR. LERNER: That's correct.

6 COUNCILMAN MOORE: No other cab company except Yellow
7 Cab Company.

8 MR. LERNER: We would represent the Checker Cab
9 Company but they are a considerably small company, and the
10 White Top Cab Company.

11 COUNCILMAN MOORE: They are affiliated?

12 MR. LERNER: They are affiliated, yes.

13 COUNCILMAN MOORE: Are those three largely who you
14 are speaking for, but no others?

15 MR. LERNER: That is correct.

16 COUNCILMAN MOORE: All right. My question is this:
17 How would your cab company benefit from freeways?

18 MR. LERNER: Well, the main thrust in moving the cab
19 movement throughout the city are the relatively short trips
20 from Capitol Hill to the Mayflower Hotel, in town, around town,
21 and up town. By taking the traffic that is destined for the
22 longer trip, the trip from the edge of the suburbs into the
23 downtown area, by taking that traffic and putting it on a
24 freeway where the people can move rapidly and freely, this will
25 free up the glid. This is the problem, of course, that you

1 have got the grid and the traffic backs up at the lights and
2 then it becomes a compounding back-up.

3 And the cab driver, of course, as I pointed out
4 initially in the District of Columbia doesn't reap any benefit
5 by sitting at a stop light. This is the only major metropolitan
6 area in the country that doesn't have the taxicab meter, so
7 the driver sets at the stop light. And when he is moving from
8 Capitol Hill to the Mayflower Hotel in the height of commuter
9 traffic, and it takes him 45 minutes to make this trip, he
10 only gets paid 75 cents. This, of course, explains why the
11 cab drivers during rush hour you can't find. It's the traffic
12 which clogs the street of the District of Columbia moving
13 particularly during the rush hours that create the problem for
14 the cab driver.

15 COUNCILMAN MOORE: Are you saying then that he would
16 benefit then in the increased number of passengers that he
17 could haul in a given time span?

18 MR. LERNER: Let's assume that. Instead of making
19 the 2.8 revenue trips per hour, if he were to increase that
20 just 10 percent which would be 2/10ths -- 2/10ths of a percent
21 to 3 revenue trips per hour, we wouldn't be faced constantly
22 and periodically with the spiralling taxicab fares.

23 COUNCILMAN MOORE: How would this affect the gas
24 useage of a cab in considering the industry that you represent?
25 Would you have to buy less gas because you can make trips with

1 less stops?

2 MR. LERNER: Mr. Chairman, I think I am in a prejudice
3 position where I think I could go either way with that answer.
4 I could say they would be moving faster thus consuming less
5 gas because the automobile runs more efficiently at 35 miles
6 an hour than it runs at 25 miles an hour. Or, I could go the
7 other way, and say that they would be more productive than
8 burning up additional gas.

9 COUNCILMAN MOORE: Well, I asked you the question
10 because I have been told that the frequent necessity of starting
11 and stopping at lights uses more gas than you would just driving
12 straight away.

13 MR. LERNER: No question about it.

14 COUNCILMAN MOORE: And this was the basis of the
15 question I asked you. Would you use less gas using the freeway
16 where there are no -- fewer stop lights as opposed to local
17 streets where there are stop signs, and maybe traffic in street
18 lights.

19 MR. LERNER: As you increase your average speed,
20 your miles per gallon increases. So that on the same distance
21 travelled, your gas consumption would be down which would mean
22 less fumes in the air.

23 COUNCILMAN MOORE: Well, I would somewhat deduce
24 from the 2 points that seem clear in mind now that there
25 would be an economic advantage to the Yellow Cab Company to

1 have freeways.

2 MR. LERNER: To the Yellow Cab Company -- no, it
3 wouldn't because we sell the drivers their gas. It would be
4 to our disadvantage. From an economic standpoint, the company
5 itself would prefer to sell more gas, but to the drivers, it
6 would be to their advantage because they would be using less
7 gas per miles. Remember, the drivers don't work for us. The
8 drivers are associated in the Yellow Cab Association.

9 COUNCILMAN MOORE: Well, I was just thinking, don't
10 you rent those cabs to the men?

11 MR. LERNER: Right.

12 COUNCILMAN MOORE: Well, you don't make that much
13 money off of gas. You make money off of the rent.

14 MR. LERNER: It's a combination.

15 COUNCILMAN MOORE: Councilman Haywood?

16 COUNCILWOMAN HAYWOOD: No questions.

17 COUNCILMAN MOORE: Councilman Robinson?

18 COUNCILMAN ROBINSON: Yes. How many trips does your
19 company, the Yellow Cab Company, make in the inner-city?

20 MR. LERNER: Well, why don't you define that. I
21 don't think you mean the District of Columbia.

22 COUNCILMAN ROBINSON: The inner-city, the ghetto,
23 sir. That's what I mean, sir. I call up -- my office is in
24 the ghetto. My patients will call up for a cab, and they want
25 to know where they are going to. Now why do they have to ask

1 where a taxi rider is going? Just come and answer the call.
2 What is the reason for that?

3 (Applause.)

4 The cabs do not like to make calls in the inner-city.
5 Not only that, but some of the colored drivers, I have seen
6 them lock the doors when they come in the inner-city. You
7 can't even get in the cabs. I have had them refuse to me. I
8 called for a cab company the other day. He asked me where I'm
9 going; I did take a little rank on him, some of the fringe
10 benefits of a Councilman. They told me they weren't coming.
11 I told them I was a City Councilman, and they said, "Be right
12 there, sir." But if I told them I was John Q., they wouldn't
13 be there.

14 So it seems to me that the cab companies are not
15 caring about the inner-city; they want trips in the suburbs.
16 Now you said that --

17 MR. LERNER: Excuse me. May I have an opportunity
18 to answer that question?

19 COUNCILMAN ROBINSON: Yes, pardon me, sir.

20 MR. LERNER: Well, this is going to take a few
21 minutes. I ask you to be patient.

22 COUNCILMAN ROBINSON: Quite all right.

23 MR. LERNER: In the middle of the question, there
24 was an inference that Yellow Cab Company there, it was a white
25 cab company.

1 COUNCILMAN ROBINSON: Oh, no, no. I didn't say that.
2 You didn't understand me. I see more brothers driving Yellow
3 Cabs now than others. I said not only your company, but
4 some of the Black taxicab companies lock their door.

5 MR. LERNER: Fine.

6 COUNCILMAN ROBINSON: Because I think you got
7 religion about two or three years ago, your cab company.

8 (Laughter.)

9 MR. LERNER: I think so.

10 COUNCILMAN ROBINSON: I mean you started hiring
11 Black drivers. That's the record; there's no dispute about it.
12 I have been living here for 64 years in this city so I know
13 what it's all about.

14 MR. LERNER: Okay. Let me answer the question as
15 related to the radio calls as best as I can. Incidentally,
16 this matter is before the Public Service Commission now. The
17 first comment I would make is, we take the destination in an
18 attempt to group-ride the people. We know the point of origin,
19 if we know the point of destination, this gives us an oppor-
20 tunity to take the cab that might be travelling across town
21 with one passenger and put in a second passenger.

22 COUNCILMAN ROBINSON: Pardon me, sir, for breaking in,
23 but when I pay 25 cents extra for a cab, they send it directly
24 to my house or my office, I see no group right now. I pay that
25 25 cents extra for calling them. I mean I may be wrong, but I

1 have never seen a group-rider when I call from my office or
2 from my home. It always comes direct, and that's the extra
3 25 cents.

4 MR. LERNER: Right. Twenty-five cents is for the
5 extra -- for the radio response. We still take the
6 opportunity of grouping people together, but we do it. It's
7 done in an attempt to extend the utilization, and the basic
8 problem extends to the fact, the driver does not work for us,
9 Mr. Councilman, as you well know. The driver is an independent
10 business man. I can't make him go anywhere --

11 COUNCILMAN ROBINSON: But you have some rules and
12 regulations, can't you, so that if he disobeys those, he's no
13 longer a member of that company?

14 MR. LERNER: How am I to know that a cab driver is
15 in that particular area? The problem, it's a matter -- what
16 you have said is we should have some sort of employee-employer
17 relationship. I say that we need the framework within the
18 regulations of the D. C. Hack Board. We also need Public
19 Service Commission help.

20 COUNCILMAN ROBINSON: You mean to say that nobody
21 has ever called your office, and told you these things, or are
22 you just learning them from me for the first time?

23 MR. LERNER: Of course not.

24 COUNCILMAN ROBINSON: Well, how are we going to
25 regulate them?

1 MR. LERNER: Well, I would like to call your atten-
2 tion in the fall of the last Public Service Commission hearing
3 where the Yellow Cab Company was the only cab company to ask
4 that the radio operations be investigated. We have opened
5 up our records because we are concerned because one out of
6 every five phone calls that we received, we are unable to
7 respond to. And a 20 percent failure rate is nothing to be
8 proud of, but we need the regulations. The companies need the
9 regulations, and the regulations can only be promulgated by
10 the Public Service Commission.

11 So herein lies the problem and in the system.

12 COUNCILMAN ROBINSON: If you have the freeways and
13 the men in the inner-city gets a cab, is he going to get on
14 that freeway? He usually rides, what? Between neighborhoods,
15 to the market or downtown; he doesn't go getting on a freeway.

16 MR. LERNER: Well, my comment to the Chairman was
17 exactly that. That the taxicab rider is not an interstate
18 rider as such. Normally taxicab service is thought of as a
19 luxury type of service provided to move people from a specific
20 point to another specific point versus mass transit which moves
21 them from area to area. The taxicab is designed not so much
22 to move people to and from the market; it is more to move people
23 from commerce or the tourists, the out of town --

24 COUNCILMAN ROBINSON: Mr. Lerner, I want you to
25 understand, there is nothing at all personal I am asking;

1 nothing at all person. I am just trying to bring out facts
2 as I see them. That's all.

3 MR. LERNER: I wouldn't be here if I couldn't take
4 the fact.

5 COUNCILMAN ROBINSON: I have one more question.

6 You said that the cab driver loses a lot of time at
7 the top of the traffic heights. Well, when he picks this fare
8 up in the inner-city or downtown, he's got to stop at these
9 traffic lights before he gets on the freeway, doesn't he? So
10 how much are you saying -- I mean, on the average run, unless--

11 MR. LERNER: Well, Mr. Councilman, I'm not getting
12 through to you. I am not looking for the freeways as a means
13 for the taxicab driver to move from point to point. I am
14 looking for those people who are looking within their private
15 automobiles to move out the radials to get on the freeways so
16 that the cab driver and the taxicab can move through the grid
17 of the inner-city.

18 COUNCILMAN ROBINSON: Thank you.

19 COUNCILMAN MOORE: Thank you very much for your
20 testimony. And I was just wondering if you were aware of the
21 fine set of Hack Regulations, and if you have read them? I
22 spent a great deal of time over the last several months working
23 with the industry and bringing into being the revised set of
24 regulations for your industry. Are you aware? And the point
25 that you make about what you thought should be in there, I

1 wonder why you didn't bring forth testimony at that time when
2 we were going through it?

3 MR. LERNER: We are aware of this.

4 COUNCILMAN MOORE: Thank you very much.

5 My friends, the hour is growing late, we have about
6 six more witnesses, all of us have been sitting for some time,
7 and I think you have sat this long and you are still anxious
8 to give your testimony, but you might just want to stand up
9 and stretch. And take some kinks out of your bones. I have
10 been sitting here since 7:30, and I would like to standup.

11 Suppose we take a five minute break.

12 (Whereupon, a short recess was taken.)

13 COUNCILMAN MOORE: Mr. Yale Rabin, Planning Consult-
14 ant, NAACP, National Coalition on the Transportation Crisis.

15 Mr. Rabin, I hope I am pronouncing your name correctly.

16 MR. RABIN: That's correct.

17 COUNCILMAN MOORE: You are welcome to testify here
18 tonight.

19 MR. RABIN: Thank you.

20 TESTIMONY OF

21 YALE RABIN

22 PLANNING CONSULTANT, NAACP

23 NATIONAL COALITION ON THE TRANSPORTATION CRISIS

24 MR. RABIN: Thank you. Mr. Chairman, before I
25 begin, in response to a question that you asked an earlier

1 witness, I did a little bit of arithmetic while I was listening.

2 You wanted to know how many square miles were involved
3 in the construction. There are approximately 30 miles of
4 freeways proposed, and using an average width of 400 feet which
5 I think is kind of conservative considering the vast areas of
6 land that are taken for inter-changes, but if we use 400 feet
7 as an average width, we are talking about 63,360,000 square
8 feet which is about 2-1/3 square miles or 1,450 acres. And
9 at the rate of about 20 households per acre which is a very
10 very low urban density, we are talking about the amount of
11 land that will accommodate about 29,000 families or roughly
12 100,000 people.

13 COUNCILMAN MOORE: Thank you very much, because I
14 think that's very valuable information, and I hope you will
15 leave it for the record.

16 MR. RABIN: I am Yale Rabin, an urban planning con-
17 sultant. My office is in Philadelphia, Pennsylvania. I am
18 a member of the American Institute of Planners. I am here
19 representing the NAACP Legal Defense Fund and the National
20 Coalition on the Transportation Crisis.

21 My work in the recent past has included studies of
22 the impact of highway construction on minority groups and the
23 poor in Nashville, Tennessee; Ossining, New York; Kansas City,
24 Missouri and Indianapolis, Indiana; Charleston, West Virginia;
25 Osage, West Virginia; Charlotte, North Carolina; Selma,

1 Alabama; Newark, New Jersey; Camden, New Jersey; and Philadelphia,
2 Pennsylvania. Similar studies in Columbia, South Carolina;
3 Gallup, New Mexico and Los Angeles are just getting under way.

4 These studies reveal a consistent pattern of the
5 flagrant disregard by highway planners for the rights and
6 needs of low income minority group inner-city residents and
7 an utter lack of concern for the urban environment. The
8 similarities between the circumstances in those cities and the
9 likely consequences of the freeway proposals which are now
10 before us are very striking.

11 In addition, these likely consequences bear little
12 resemblance to the unsupported and unsupportable claims being
13 made by the advocates of these proposals. As elsewhere, these
14 road proposals will displace thousands of Black households.
15 This has somehow become the inevitable by-product of what we
16 are meant to believe is progress.

17 The Relocation Provisions of the 1968 Highway Act
18 which were described here earlier by Mr. Crocker as excellent.
19 do not in any way contribute to the production of relocation
20 housing where such resources do not exist; a condition which
21 has also been conceded by Mr. Crocker, nor do these excellent
22 provisions accommodate changes in the cost of living or on the
23 rate of interest for home mortgages, which for many households
24 will be as much as twice the rate which they now pay.

25 These Relocation Provisions have, however, greatly

1 extended the periods of time over which acquisition has been
2 carried out. Several references have been made to this tonight.
3 People have said the Highway Department, of course, has no
4 intention of displacing anyone until relocation housing is
5 available. This is a very mixed blessing.

6 For example, in Kansas City, in order to comply with
7 these relocation requirements, it is proposed to acquire the
8 9-mile long right-of-way for the South Mid-Town Freeway over
9 a period of 10 to 15 years. In similar situations across the
10 country, tens of thousands of tenant households living within
11 approved or even recommended rights-of-way for future highway
12 construction have already been consigned to a steadily
13 deteriorating living environment brought about by a complete
14 halt to property maintenance and an early departure of neighbor-
15 hood commercial and service facilities.

16 Now, I do not intend to deal with in detail with the
17 issue of displacement. I think enough has been said about
18 that, and there is much evidence in the record. I would say
19 though that the uprooting of perhaps 20,000 District residents
20 and the division and fragmentation of their communities are
21 in themselves adequate grounds for rejecting these freeway
22 proposals.

23 In my opinion, based on experience across the country
24 is that there is even more compelling reasons for refusing to
25 subject the citizens of the District to the discriminatory and

1 unjust burdens which this highway system would impose. Com-
2 pletion of the proposed freeway system will accelerate the
3 racial and economic polarization in the Washington metropolitan
4 area. Thousands of additional White middle-class workers will
5 find the new freeways an escape route to the suburbs. Experi-
6 ence across the nation has demonstrated this.

7 Studies in support of the Douglas Commission find
8 this, documented this. Industry and commerce and with them
9 jobs for unskilled inner-city residents will, again, as con-
10 firmed earlier by Mr. Crocker leave for new industrial parks
11 and shopping centers adjacent to suburban and rural inter-
12 changes and near White middle-class employees and customers.
13 Once again, the national experience has shown that the oft
14 repeated contention that freeway construction will revitalize
15 downtown retail trade has shown to be nothing more than a
16 mythe. The roads after all run in both directions, and access
17 to the suburban shopping centers is considerably enhanced by
18 the provision of the new freeways.

19 For those who remained trapped in the inner-city by
20 lack of funds, lack of skills and discrimination, the situation
21 will grow progressively worse. Unemployment and dependence on
22 public housing and public welfare will increase. The ever
23 widening circles of the self-destroying and socially disruptive
24 process are not difficult to foresee.

25 Travel from the surrounding suburbs to offices in the

1 District will increase by several times. Yet a study conducted
2 in 1964 by the Bureau of Public Roads found that of the 25
3 largest cities in the country, Washington, D. C. has the third
4 lowest percentage of automobile ownership. These travel
5 increases will be generated by the switch from public transpor-
6 tation to automobile use which is induced by the new highways
7 and by the additional thousands who will move to the suburbs.

8 It is tragic that we are confronted with the unreason-
9 able insistence of this system's proponents at a time when the
10 threat to our environment from auto-induced pollution has
11 aroused the concern of the entire nation. While the President
12 urges a massing of the nation's resources in a ten year campaign
13 to put an end to the destruction of our environment, we are
14 being asked to accept an increase at the rate at which our
15 air is to be poisoned, an increase which may possibly be in
16 the order of several times the present levels.

17 The recommendations before us in typically deceptive
18 fashion tell us that vehicles moving at 60 miles per hour are
19 less of a pollutant hazard than traffic moving slowly on local
20 streets. The report would have us believe that the mass of
21 vehicles to be carried on these new roads will simply pass
22 through the District at high speed. Just how this vehicular
23 laxative is to be administered is not explained.

24 Here again, we may find a clue in the national
25 experience. To my knowledge, there is not a city across the

1 country which has constructed a freeway network emptying into
2 the downtown which has not experienced a massive increase in
3 traffic congestion on local streets.

4 Ridership on existing mass transportation routes will
5 fall. Some routes will be eliminated, and fares will be raised
6 to take up the slack. Here again, the blow falls squarely on
7 the shoulders of those most dependent on mass transportation
8 for access between home and employment.

9 The poor, the old and the young, the infirm will
10 become increasingly immobilized.

11 Directly related to this and of crucial importance
12 is the relationship between the proposed freeways and the
13 proposed Metro system. Constant attention has been called to
14 the forthcoming balance of the District's transportation system.
15 Both the design of the system and the priorities to their
16 various elements expose this claim of balance as nothing more
17 than a deception. In a design, the two elements do not form
18 a coordinated balanced system, instead they form two similar
19 and competing systems.

20 The proposal for the North Central Freeway which is
21 before us tonight illustrates this condition quite clearly.
22 That road and the Metro Line run along the same right-of-way,
23 and the statistics on the freeway in Chicago notwithstanding
24 if the road that is proposed is built in advance of the Metro
25 Line, it will seriously undermine the possibility of an economic

1 level of patronage for the Metro line. In fact, completion
2 of any such roads in advance of the construction of parallel
3 Metro lines brings into questions even the likelihood that
4 such a Metro system would ever be built.

5 The point here is that simply once having demonstrated
6 that the volume of traffic along a given desired line is being
7 adequately dealt with, it becomes eminently reasonable to
8 suggest the elimination of any duplicate services. One might
9 arrive at the cynical conclusion that this is, in fact, what
10 was intended from the beginning.

11 One possible version of a balanced transportation
12 system would be one in which a ring-road highway system is
13 intersected by radial railroads which provide extensive oppor-
14 tunities for parking in inter-change between public road and
15 rail facilities.

16 In the light of what we know about the effects on
17 urban freeway system in the proposal which is intended to
18 accommodate a greater flow of automobile traffic into the
19 District should be unacceptable. Any acceptable transportation
20 proposal must be capable of increasing ease of access to the
21 city for the people without increasing the flow of automobile
22 traffic into the District. Such a standard clearly dictates
23 the rejection of the entire freeway system which is here being
24 considered and insistence by the Council on the prompt con-
25 struction of the rail mass transit system.

1 In this regard, I would like to take the liberty of
2 answering a question put by Councilman Tucker very early in the
3 hearings to Mrs. Rowe. There is, I believe, a suit before the
4 Federal Courts brought by concerned citizens which seeks to
5 halt the implementation of this road building program. It is
6 my understanding that the principal basis for this suit is
7 the contention that the dictates of Section 23(c) of the 1968
8 Highway Act deprived certain Federal and local officials of
9 the opportunity to carry out their obligations as required by
10 the law. In the light of the repeated assertions by Council
11 members that their options are totally circumscribed by Section
12 23(c), I find it both puzzling and disappointing that the
13 Mayor and Council whose nominal authority has been completely
14 emasculated by the dictates of this provision, have not seen
15 fit to go themselves to the courts in their own behalf --

16 (Applause.)

17 In their own behalf and in behalf of the 2 million
18 residents of the District whose long struggle for self-govern-
19 ment has been so seriously set back by this capitulation.

20 Thank you.

21 (Applause.)

22 COUNCILMAN MOORE: Mr. Rabin, we are very pleased
23 that you could come and testify here before the Council tonight
24 and I would ask my fellow councilmen, are there any questions
25 that you would like to ask Mr. Rabin?

1 Councilman Haywood?

2 COUNCILWOMAN HAYWOOD: No questions. Thank you, Mr.
3 Chairman.

4 COUNCILMAN MOORE: Councilman Robinson?

5 COUNCILMAN ROBINSON: No, thank you.

6 COUNCILMAN MOORE: Thank you very much for your
7 testimony, and would you leave a copy of that testimony with
8 the secretary?

9 MR. RABIN: I'm sorry I'm unable to tonight, but I
10 will as quickly as possible have it typed and sent.

11 COUNCILMAN MOORE: And would it please include those
12 estimations that you gave?

13 MR. RABIN: Yes.

14 COUNCILMAN MOORE: Thank you very much.

15 Dr. C. Joseph Nuesse, Executive Vice President,
16 Catholic University.

17 We are very pleased to welcome you, sir, and we
18 look forward to your testimony.

19 TESTIMONY OF

20 DR. C. JOSEPH NUESSE

21 EXECUTIVE VICE PRESIDENT

22 CATHOLIC UNIVERSITY

23 DR. NUESSE: Mr. Chairman, I am C. Joseph Nuesse,
24 Executive Vice President and Provost of Catholic University.

25

1 Thank you.

2 The Catholic University of America is sensitive to
3 the needs and feelings of its neighbors in the Brookland area.
4 It recognizes that the construction of the North Central
5 Freeway will involve the destruction of homes and businesses,
6 the increase of air pollution and noise, and attendant threats
7 to community life. From the beginning, representatives of the
8 local community have sought the opportunity to express these
9 concerns, and the University urges strongly that they be given
10 a full and fair hearing. The University's pledge of the com-
11 munity is that, if the proposed North Central Freeway should
12 be approved, the University will join with the community to
13 insist upon the adequate relocation of families deprived of
14 their homes and the alleviation of noise, air pollution and
15 other undesirable consequences of freeway construction.

16 Further, if the freeway is authorized, the University
17 will request modifications of the proposed route in order to
18 safeguard the educational services it renders. As outlined
19 in "Recommendations for a Freeway in the Northern Section and
20 Related Policy," the proposed route would adversely affect the
21 campus of the University and thus, its capacity to be of ser-
22 vice to the local community, to the metropolitan area and to
23 the nation. The amount of land proposed to be taken from the
24 University because of the freeway and the relocation of Brook-
25 land Avenue, together with the topography of the remaining

1 site, would not allow the University to develop according to
2 its plans. The University's 1985 Plan, on file with the
3 National Capital Planning Commission, indicates the intended
4 full utilization of the land in question. Therefore, the
5 University insists that, if the Freeway is to be built, the
6 proposed route should be relocated east of the Baltimore and
7 Ohio railroad tracks, at least to a point opposite the northern
8 end of the site of the D. C. incinerator.

9 Thank you.

10 COUNCILMAN MOORE: Dr. Nuesse, thank you for your
11 testimony. Now let's just suppose that the freeway was relo-
12 cated in the area described in your testimony. What effect
13 would that relocation have on homes and businesses and parks,
14 if any, in the area?

15 DR. NUESSE: The effects would be two principally.
16 There are certain businesses that have been built, I believe,
17 since the plans for the freeway were announced that are along
18 the right-of-way of the Baltimore & Ohio tracks, which would
19 be involved. They would be involved in freeway construction
20 anyway to some extent.

21 The other part of the property would involve the
22 campus of the University which is on the side of the tracks
23 opposite the main campus across the railroad tracks. So we
24 are talking here in part about University property itself.

25 COUNCILMAN MOORE: Councilman Haywood?

1 COUNCILWOMAN HAYWOOD: No questions, Mr. Chairman;
2 thank you.

3 COUNCILMAN MOORE: Councilman Robinson?

4 COUNCILMAN ROBINSON: Dr. Nuesse, I see where the
5 University said that if the Northwest Freeway should be approved,
6 do you have any idea what the consensus of the faculty of the
7 Board of Trustees -- I want to put you in a spot; whether you
8 would be ~~now~~ against it, a large percentage would be against the
9 freeway?

10 DR. NUESSE: Well, let me put it this way. I speak
11 as an officer of the University; in the first place, in its
12 response on public issues of this kind, the University must
13 keep in mind its character as an educational institution.

14 VOICE: How about morals? How about morals?

15 DR. NUESSE: And as you have just suggested, people
16 have diverse opinions within the University, faculty, adminis-
17 tration and student body. I believe that the academic senate,
18 the faculty of the graduate school have been on record in
19 past years in opposition to the freeway. And that that record
20 has been transmitted, but the function of the University offi-
21 cials, obviously, is to preserve an environment where there is
22 freedom to discuss the issue on all sides.

23 COUNCILMAN ROBINSON: Thank you, Doctor.

24 COUNCILMAN MOORE: Thank you, Doctor, for your
25 testimony.

1 Dr. Robert Kenan, Committee of One Hundred on the
2 Federal City is listed as the next testimony, but he asked to
3 be relieved of that testimony tonight.

4 So we will proceed to Mr. Matthew Andrea, Chairman
5 of the D. C. Student Committee on the Transportation Crisis.

6 Now the witness table is up front, and the chair's
7 table is becoming tested. Now, will the speaker desist from
8 talking or either take a chair instead of being removed from
9 the chamber?

10 VOICE: Continue.

11 TESTIMONY OF

12 MATTHEW ANDREA, CHAIRMAN

13 D. C. STUDENT COMMITTEE ON THE TRANSPORTATION CRISIS

14 MR. ANDREA: My name is Matthew Andrea. I am Chairman
15 of the D. C. Student Committee on the Transportation Crisis.
16 I am a 1968 graduate of Georgetown University, and presently I
17 am employed by a newly formed ecology action group called
18 "Environment," with whom I will be working this spring on
19 environmentally related issues, including pollution, including
20 the freeways, including every facet of the destruction of our
21 environment that is taking place right now.

22 In the fall of 1969, a group of students recently
23 returned to Georgetown University, came back to this fair city
24 only to learn the distressing news that on August 9th the City
25 Council of this District had reversed its previous position,

1 and had voted a massive freeway program for the District of
2 Columbia. Further investigation revealed that the City Council
3 did this under a great deal of pressure from above. Students
4 became distressed for they had heard about the Three Sisters
5 Bridge many years ago. I for one had been a member of the
6 Georgetown Crew Team for four years.

7 For four years, every morning between 6 o'clock and
8 8 o'clock in the morning, I used to get out and crew shell,
9 row up to Fletcher's landing, then down the Potomac River under
10 Key Bridge, under Memorial Bridge, under 14th Street Bridge,
11 and finally down to National Airport and then turn around and
12 come back. Many of my contemporaries share the same experience,
13 and over the four years, we noticed a growing disruption, a
14 growing despoliation of the entire environment surrounding the
15 river.

16 The increase in air pollution is obvious. Particular-
17 ly obvious at 6 o'clock in the morning when the fog is very
18 heavy on the Potomac River, and every bit of carbon monoxide
19 and other particulars that are exuded from automobiles got
20 caught in that fog and strangled the oarsmen as they rode up
21 and down that river. It wasn't so bad six years ago.

22 But, two years ago, when I finished the season, I
23 had really very little desire to spend any more time in the
24 Potomac River. For the same time that air pollution was
25 increasing, the destruction of the water environment and the

1 surrounding land area was also taking place. In fact, by the
2 time I was a senior, I sort of prided myself in being able to
3 determine just what was untreated sewage and what was chemical
4 waste and what was petroleum droppings and so forth. You could
5 see these things coming down the river everyday, particularly,
6 in the spring after the thaws.

7 So when this group of students at Georgetown heard
8 that the Three Sisters Bridge which had been on again, off
9 again for so many years which had been opposed by virtually
10 all elements of the Washington metropolitan community was
11 about to be built, we felt that action was necessary. We were
12 disillusioned in the established processes of government.
13 How could we help but be?

14 Here we saw that in spite of past referendums, in
15 spite of court decisions, injunctions, in spite of the previous
16 stance taken by the City Council, that when pressure came down
17 from above, this city, this colony was ready to buckle under
18 and submit to colonial rule.

19 Students of my generation are very critical of our
20 processes of Government for we were brought up believing that
21 we lived in a democracy, and suddenly, every day we are con-
22 fronted by the factor that things don't happen democratically.
23 This seems especially true in Washington, D. C. which has no
24 self-government and can only elect its school board. So again,
25 in the fall of 1969, a group of distressed and disillusioned

1 students upset over the inability of established mechanisms to
2 resolve certain problems, anxious to take some sort of action
3 themselves, to demonstrate their opposition to this bridge
4 and freeway system.

5 So a small group of us, it started out with nine,
6 one Friday afternoon on the 10th of October got into row boats
7 and we went out and we occupied the Three Sisters Islands.
8 We seized those islands; we liberated those islands, and at
9 the same time we were involved in this action, an equally
10 committed group of students was running wildly all about town
11 distributing a leaflet that announced this new liberation
12 front.

13 Now, it started out with nine students camping out
14 in the cold wet nights, but the next day, 70 people came and
15 visited us on those islands. And the day after that, 120
16 people, and these were not students primarily, but residents
17 of the Georgetown and Foxhall village communities and also
18 the inner-city came out to our first public rally. But we
19 didn't by that. We had succeeded in our first step of drawing
20 public attention to the fact that the bridge was being built.
21 This is something that the media had more or less ignored.

22 The contracts were let after the City Council deci-
23 sion, and then the construction began. Most people weren't
24 aware of this. They became aware of this, there followed a
25 week of demonstrations, totally non-violent in nature, but

1 demonstrations in which the students and the citizens who
2 allied themselves with the students committed themselves to
3 blocking the construction of the bridge.

4 These demonstrations started with very small numbers,
5 but they built up every day, so that by Wednesday, the 15th
6 of October, the day of the Moratorium, 141 of us were placing
7 our bodies on the line, 141 citizens from all parts of the
8 city and students.

9 After two hours of delaying construction, we were
10 rounded up, many brutally treated by the police of this city,
11 and taken to jail. This was no coincidence, this was no
12 accident. This demonstration, these actions were the largest
13 non-violent demonstrations centered around a domestic issue
14 that have ever taken place in this city.

15 I think that means that people are concerned, and it
16 means not only students, but students from every segment and
17 every age in the community. We shared our jail cells with
18 people that were 50 and 60 years old. We maintained our com-
19 mitment.

20 The following Sunday, even in spite of the intima-
21 tion offered by the police, 500 people turned out for a massive
22 rally down at the bridge site. Two hundred of these people
23 came in a 75 car motorcade from the Adams, Morgan, Shaw and
24 Cardoza neighborhoods. The rest of these people came largely
25 from suburban areas, and then, of course, there was representations

1 from the Georgetown and northwest areas.

2 Again, a public outcry; again, people were willing to
3 place themselves in jeopardy because of something they believed
4 in. But we realized the following Monday when a group of
5 demonstrators came down to repeat the actions of a previous
6 week and when they first crossed an arbitrarily imposed line
7 formed by the police and parkland to which people should have
8 public access, when these students were brutally beaten on
9 the head, we realized that this type of action could no longer
10 serve the purpose that we had originally intended for it.

11 We were never so naive as to believe that we could
12 stop the construction just by standing in front of the machine.
13 We had made our point; we had dramatized the issue. Then was
14 the time for the hard work to begin. But since that time, many
15 students have participated in briefings on Capitol Hill, in
16 the halls of the Department of Transportation, have dealt with
17 different governmental agencies, trying once more to use the
18 channels that are established. We have supported the lawsuit;
19 students gave tremendous support to the referendum which was
20 held on November 4th.

21 After the Board of Elections denied a legitimate
22 referendum, we raised the money ourselves, manned the polls,
23 got out the vote and 80 percent of the people who voted in that
24 referendum voted not only against the Three Sisters Bridge, but
25 the entire connecting network of freeways. But this was just a

1 beginning.

2 We maintained our commitment. You may say perhaps
3 that we are just foreigners visiting the city; we come here
4 for four years, and then we leave. But many of us are not.
5 For the last six years, I have been a resident of the District
6 of Columbia, and intend to remain one, living originally in
7 Georgetown and now mid-way between Dupont Circle and Adams-
8 Morgan.

9 I feel that in these last few years spent close to
10 the inner-city that I felt the pulse of the people there,
11 seeing some of their needs. And these needs have nothing to
12 do with freeways. They cannot serve the people of this District.
13 These needs have to do with housing, with education, with
14 hospitals and certainly with transportation, but not the type
15 of transportation system that this freeway network offers.

16 The majority of the people in this town don't own
17 their own cars. They need mass transit. Yet, the system that
18 is proposed on this map is not provided -- does not provide it.
19 Why are we against freeways? We feel that they are a desecra-
20 tion of the environment. Not only do they pollute the air, but
21 they break up communities as has been so often mentioned.

22 But, not only that, many of us go all the way to
23 challenge the very basic assumptions that underlie the whole
24 thrusts toward building freeways in the first place. And in
25 this context, I would like to quote a few excerpts from an

1 essay on highway development written by Louis Mumford:

2 "The current American way of life is funded just not
3 on motor transportation but on the religion of the motor car,
4 and the sacrifices that people are willing to make for this
5 religion stand outside the realm of rational criticism. Perhaps
6 the only thing that could bring Americans to their senses would
7 be a clear demonstration that their highway program will even-
8 tually wipe out the very area of freedom that the private
9 motor car promised to retain for them."

10 What is transportation for, Mumford asks. This is
11 a question that highway planners apparently never asks them-
12 selves, probably because they take for granted the belief that
13 transportation exists for the purpose of providing suitable
14 outlets for the motor car industry.

15 To increase the number of cars, to enable motorists
16 to go longer distances, to more places at higher speeds has
17 become an end in itself. Does this overemployment of the motor
18 car not consume ever larger quantities of gas, oil, concrete,
19 rubber and steel and so provide the very groundwork for an
20 expanding economy? Certainly, it does. Certainly, it helps
21 the economy, but does it, indeed, help people when the streets
22 are clogged, when the air is clogged, when people are afraid
23 to walk on the streets for fear of being bruised by masses of
24 gases, pollutants coming from buses and cars.

25 The city becomes uninhabitable for pedestrians, and

1 that's what cities were built for in the first place. People
2 put buildings close together in order to minimize the need for
3 transportation so that they could walk. Yet, pedestrians'
4 transportation is certainly out of the way in this city, in
5 this city which should be an Elysium for pedestrians.

6 Mumford goes on; perhaps our age will be known to
7 the future historian as the age of the bulldozer and extermina-
8 tor and in many parts of the country, the building of a
9 highway has about the same result upon vegetation and human
10 structures as the passage of a tornado or the blast of an
11 Atom Bomb. Nowhere is the bulldozing habit of mind so disastrous
12 as in the approaches to this city and in the city itself.

13 Since the engineer regards his own work as more
14 important than the other human functions it serves, he does
15 not hesitate to lay waste to woods, streams, parks and human
16 neighborhoods in order to carry his roads straight to their
17 supposed destination.

18 It is in this context that we notice the threat to
19 some of the major most prized parkland in this city. A 1935
20 Act of Congress supposedly should supposedly protect the
21 Pallsades and upper reaches of the Potomac River from any
22 development whatsoever. Yet, this Act is being totally ignored.
23 It is being overridden in the proposals for a Pallsades Parkway,
24 for the Three Sisters Bridge and for the Potomac River Freeway,
25 as well as for the Anacostia Freeway, as well as for the North

1 Central Freeway which obliterates Fort Totten Park to continue.

2 In order to overcome the fatal stagnation of traffic
3 in and around our cities, our highway engineers have come up
4 with a remedy that actually expands the evil that is meant to
5 overcome. They create new expressways to serve cities that
6 are already overcrowded within, thus tempting people who have
7 been using public transportation to reach the urban centers
8 to use these new private facilities.

9 Almost before the first days' toll on these new
10 expressways have been counted, the new roads themselves are
11 overcrowded so a clamor arises to create other similar arteries
12 and to provide more parking garages in the center of our
13 metropolises, and the generous provision of these facilities
14 expands the cycle of congestion without any promise of relief
15 until that terminal point when all the business and industry
16 that originally gave rise to the congestion move out of the
17 city to escape strangulation, leaving a waste of expressways
18 and garages behind them.

19 This is pyramid building with a vengeance, a tomb
20 of concrete roads and ramps covering the dead corpse of the
21 city. We will not stand for this under any circumstances.

22 The problems of traffic congestion have been mentioned.
23 I couldn't help but laugh when several witnesses tonight
24 actually dared to pause at the fact that the freeways would
25 relieve congestion on the so-called inner-city grid. As has

1 been demonstrated in other cities, the opposite is true.
2 Freeways should be looked upon as funnels which is what they
3 actually are. When you think of a road that is four lanes,
4 six lanes, eight lanes coming in from a large suburban area
5 into a small metropolitan area, you have a funnel effect.

6 But, remember, at the end of every funnel is a very
7 small opening, and these openings are the city streets of
8 D. C. These are streets that cannot handle the congestion that
9 will come off these freeways. I maintain that the congestion
10 in this city will be worse as a result of the freeways.

11 Parking is an entirely different problem, but even enough
12 parking is provided, the problem would be between the parking
13 lots and the ramps and the freeways themselves. And I maintain
14 that it would be a constant traffic jam.

15 The wide swaths of land devoted to clover leaves
16 and even more complicated, multi-level inter-changes to express-
17 ways, parking lots, parking garages and in the very heart of
18 the city butcher up precious urban space. These new arteries
19 choke off the natural sources of circulation and limit the
20 use of abutting properties while at the point where they dis-
21 gorge their traffic, they create inevitable dots of congestion
22 which effectively cancel out such speed as they achieve in
23 approaching these bottle necks.

24 Finally, in relation to parking, freeways have
25 repeatedly taken possession of the most valuable recreation

1 space this great city possesses; not merely by thieving land
2 once dedicated to park uses, but by cutting off easy access
3 to the waterfront parks, and lowering their value for refresh-
4 ment and repose by introducing the roar of traffic and the bad
5 odor of exhaust through both noise and carbon monoxides
6 are inimical to health.

7 What is the solution then? Certainly not more free-
8 ways, but a system of mass underground rail transit, but not
9 the Metro system as it is proposed right now. For that system
10 has built into it inadequacies which make argument for this
11 system somewhat valid. The Metro system is designed, at least
12 at present, to handle only a fraction, 20 percent according to
13 the Department of Transportation, of the commuter traffic.

14 The Metro system as proposed is only a single line
15 system. In other words, you have two tracks going in opposite
16 directions, and although it's very extensive, 96 miles, the
17 number of stops is severely limited.

18 Therefore, there's only one type of service and this
19 is a service that goes between these stops, but ignores major
20 sections of the city, particularly the inner-city, the area
21 where our poor and low income people live, who are most
22 dependent upon mass transit. Ideally, there should be a system
23 of rail transit that involves a four-line system so that you
24 could have express lines as well as local lines. There should
25 be more stops, and there should most importantly be cross-town

1 lines that would link up the communities. For a transit system
2 that only brings people into the city from the suburbs and
3 back out of the suburbs, can never build a spirit of community,
4 any set of environmental integrity in this city. To tie a
5 city together, you have to connect its neighborhoods; you have
6 to preserve the integrity of these neighborhoods; you have to
7 encourage integration, communication.

8 Freeways, by cutting off the different areas, the
9 different neighborhoods into pie-shaped segments ultimately
10 destroy neighborhoods themselves, and cut out those neighbor-
11 hoods that might be preserved intact from their neighboring
12 neighborhoods. Only a massive mass transit rail system under
13 ground involving a minimum of displacement and a maximum of
14 utility to a maximum number of people can solve the needs of
15 the city, but also the needs of the suburban areas, and I
16 must stress our relation to the suburban area.

17 For again, going back to the movement that we had
18 this fall, we received tremendous support from people in
19 Arlington and Alexandria, from people in Montgomery and Prince
20 George's County. These are the people that the freeways are
21 supposed to help, and they don't want them either. This was
22 clearly manifested this last week, this last month actually,
23 when groups of citizens in the Maryland counties had demonstra-
24 tion after demonstration and finally prevailed upon their
25 legislators who yesterday voted down the northern route that

1 would ultimately connect the Northern Beltway or the second
2 Beltway.

3 I think this should be an example for this City
4 Council. If the legislators of Maryland can deal with the
5 Department of Transportation, with the highway administration
6 in that manner, if those legislators can respond to the needs
7 of the people, certainly, we in Washington, D. C., our leaders
8 in Washington, D. C. should set an example; not only for this
9 city, but for the nation, by responding to the needs of the
10 people.

11 (Applause.)

12 Finally, and I realize the hour is late, but these
13 are some issues that I wanted to make because these are issues
14 that very, very strongly concern students. You, our public
15 servants, our Congressmen, our Senators, are confronted with
16 the phenomenon that is growing every day among people of my
17 generation, and that is the problem of alienation and unrest.
18 Complete disenfranchisement, complete lack of a sense of
19 participation in the affairs of Government because these
20 affairs are being conducted in certain ways that exclude people.
21 These gentlemen are the seeds of revolution.

22 If the City Council is to continue to back the sort
23 of stance that it did on August 9th, there are some who will
24 praise its action, for the City Council will be doing its part
25 to give rise to the greatest urban rebellion that this city

1 has ever seen. We are particularly critical of the Highway
2 Trust Fund, this massive amount of money coming totally as a
3 result of legislation from the 1950's which enables the highway
4 lobby to program systems such as this, with great ease simply
5 because the funds are available. This must be over-turned.
6 These funds must be rerouted in such a way to serve the real
7 transportation needs of the people.

8 They must be taken out of the Highway Department and
9 turned over to mass transit, and there is need for a great
10 deal of legislation there.

11 We are particularly critical of the highway lobby,
12 that group of oil men, automobile men, concrete men, rubber
13 man and the rest of the bunch who with powerful economic inter-
14 ests are able to subsidize the campaign expenses of many
15 Congressmen -- not too many Senators -- many Congressmen, then,
16 in turn, become the tools of these men, and bring about legis-
17 lation which is generally passed because of its pork-barrel
18 nature. That is Congressmen scratch each other's back, provide
19 different contracts and so forth. And everybody gets a little
20 bit of a share of the pie.

21 But, this whole thing proceeds in a realm of economics
22 that is totally abstracted from human beings; the needs of the
23 people must be met.

24 We are particularly alienated by the sort of black-
25 mail arrangements that took place this summer while most of us

1 were out of town. The very fact that William Natcher from his
2 power position on the House D. C. Appropriations Committee
3 could intimidate this city by saying that he would personally
4 be responsible for withholding subway funds until the City
5 Council buckled under and voted for the roads, and then to
6 top this, when the liberal Congressman Brock Adams and Fraser
7 and Kluczynski and Broyhill and the rest of the bunch topped
8 Natcher and said that they would withhold all funds from the
9 District of Columbia until the go ahead was made on the Three
10 Sisters Bridge.

11 This is no democracy. This is absurdity. This is
12 blackmail. This is Government by intimidation, and we want
13 no part of it. This type of situation wins total credibility
14 to the belief that what we are living in is not a democracy,
15 but a colony. That we are, in fact, ruled by a small clique
16 of people, a group of absentee landlords, who have almost total
17 control over the destiny of this community. This must end.
18 We need homerule and we intend to work for it, and we realize
19 that if we had homerule, perhaps many of these problems would
20 have been solved long ago.

21 But, you, the members of our City Council, can be the
22 vanguard in liberating this city if you wish to be. You can
23 take the leadership by voting the will of the people; by doing
24 so you will earn their eternal gratitude, and by doing so, you
25 may close some of the generation gap that seems to be widening

1 every day between yourselves and the people of my generation.
2 In doing so, you can do your part in President Nixon's beauti-
3 ful environmental anti-pollution action.

4 What is all this talk about environment and about
5 saving the environment --If we can't save it right here in
6 the heart of the nation?

7 (Applause.)

8 I ask you, Reverend Moore, City Council Chairman
9 Hahn who is not here and the rest of the City Council, to look
10 not only at the will of the citizens as has been expressed
11 tonight, but to think of the feelings of the generation that
12 will follow yours, my generation. Think of the problems of
13 discontent that are growing in this generation; think of the
14 social disruption which is taking place almost universally in
15 this country right now; think about how you relate to this.
16 Realize that things can go either way, toward more violence,
17 toward more confrontation, toward the recreation of this city,
18 toward the building of a unified community.

19 I simply ask you to think about these things and vote
20 accordingly when you report this matter out on February 23rd.

21 Thank you.

22 COUNCILMAN MOORE: Thank you, Mr. Andrea. Please do
23 not leave the table. I have a few questions to ask of you.

24 First, I want to commend you for your presentation.
25 In the early part of your testimony, you said what school you

1 were connected with. Would you please tell me what school?

2 MR. ANDREA: That is Georgetown University. I
3 graduated from Georgetown in 1968, and since then, I have
4 been enrolled as a graduate student there in the History
5 Department.

6 COUNCILMAN MOORE: Well, I do want to commend you
7 on that presentation that you made here tonight. It was very
8 forceful, very thoughtful, very clear. Personally, I am happy
9 to know that there are thinking young Americans. I know that
10 for myself what you said had a great deal of meaning in it,
11 and I just want you to know that.

12 Now, Councilman Haywood?

13 COUNCILWOMAN HAYWOOD: No questions.

14 COUNCILMAN MOORE: Councilman Robinson?

15 COUNCILMAN ROBINSON: Thank you very much.

16 COUNCILMAN MOORE: Thank you very kindly.

17 We have three more witnesses and then we will be
18 ready to adjourn. Mr. John S. Winder, Jr., Executive Director,
19 Metropolitan Washington Coalition for Clean Air.

20 TESTIMONY OF

21 MR. JOHN S. WINDER, JR., EXECUTIVE DIRECTOR

22 METROPOLITAN WASHINGTON COALITION FOR CLEAN AIR

23 MR. WINDER: Thank you.

24 COUNCILMAN MOORE: We are very pleased to welcome
25 you here.

1 MR. WINDER: Thank you very much.

2 My name is John Winder, and I am the Vice President
3 for the Greater Allies to Stop Pollution, known as GASP, and
4 also the Executive Director of the Metropolitan Washington
5 Coalition for Clean Air. This latter organization is sponsored
6 by the D. C. Tuberculosis and Respiratory Disease Association.

7 The membership of the Coalition for Clean Air includes
8 over 70 civic, conservation, labor and other organizations as
9 well as over 700 individual citizens from throughout the
10 Washington metropolitan area; and this rapidly growing environ-
11 mental polity is singularly concerned and united in its efforts
12 to protect the air in our national capital area. Not long ago,
13 the Coalition joined with nationally recognized conservation
14 organizations in an amicus curiae brief which requested a
15 public hearing to consider the environmental effects of the
16 Three Sisters Bridge.

17 It is somewhat encouraging, deceptive though it may
18 be, that not only has the D. C. Department of Highways and
19 Traffic recognized the growing citizen concern about the pro-
20 blem of air pollution in this area but also the Department has
21 suggested that the air we breathe is one issue which they will
22 consider in the development of a transportation program. It
23 is this issue, therefore, to which I will address my remarks
24 and upon which I will base my recommendations.

25 The Department of Highways and Traffic has offered

1 us the statement, frequently repeated by foes of air pollution
2 control, that "Pollution comes from a variety of sources." The
3 Department had gone even further to admit that these sources
4 include motor vehicles. Some frightening statistics, however,
5 will help place these conclusions in their proper perspective.
6 Air pollution from the motor vehicle cannot be dismissed as
7 merely one of the many sources -- transportation sources con-
8 tributed nearly 98 percent of the carbon monoxide in the
9 metropolitan area, and roughly 100 of the CO emitted by motor
10 vehicles emanates from the automobile.

11 The burning of fuel by motor vehicles is also the
12 largest single source of hydrocarbons, 72 percent of the total,
13 and nitrogen oxides, 38 percent of the total. Further, mobile
14 sources account for approximately 18 percent of the total area-
15 wide particulate emissions.

16 Such percentages, moreover, are far more distressing
17 when they are converted into the volume of pollutants which are
18 continuously emitted into our air. Figures compiled by the
19 United States Public Health Service indicate that in 1965,
20 transportation sources emitted nearly 350,000 tons of carbon
21 monoxide into the District of Columbia air and over 1,200,000
22 tons of CO throughout the metropolitan area. Motor vehicles
23 contributed hydrocarbons to our air in amounts of over 64,000
24 tons in D. C. and nearly 225,000 tons throughout the area per
25 year.

1 Over 15,000 tons of nitrogen oxides in the District
2 and over 51,000 tons of nitrogen oxides throughout the area
3 were emitted by motor vehicles in 1965. In addition, in this
4 same year transportation sources emitted nearly 2,000 tons of
5 particulates in D. C. and over 6,000 tons of particulates over
6 this area.

7 According to the 1960 census, the concentration of
8 automobiles per square mile in the District -- 2,600 -- and
9 you recall the figure given earlier by Dr. Fisher who is also
10 a member of the Coalition was 4,000. This includes all vehicles.
11 In any event, this concentration was a higher concentration
12 than in any other city in the country.

13 There is no question that this oppressive figure has
14 risen in the past decade, and there is less question that addi-
15 tional freeways will cause it to increase even further. The
16 National Air Pollution Control Administration has recognized
17 the severity and intensity of this source of air pollution and
18 in the next few months will submit federal minimum criteria
19 for carbon monoxide to guide the states in the development of
20 CO control standars. When the source of deadly carbon monoxide
21 is so readily identifiable in the automobile, it is highly
22 inconsistent with this developing national environmental con-
23 trol policy to promulgate a transportation system which will
24 clearly contribute to the increasing deterioration of our
25 environment.

1 The damage by air pollution from transportation and
2 other sources to plant life and to physical property can
3 perhaps be weighed and balanced by traditional transportation
4 interests of mobility and business. However, it is submitted
5 that the well-documented damage to human health and to human
6 life itself cannot be compromised.

7 Carbon monoxide is one of the most common gaseous
8 toxicants, and has the ability to lower the oxygen-carrying
9 capacity of the blood. At concentrations of CO not uncommon
10 to rush hour traffic, many people exposed for 1 to 2 hours
11 experience headaches and a decrease in physical and mental
12 abilities. For persons already suffering a disease involving
13 reduced oxygen transport or ventilatory capacity, such as ane-
14 mia or asthma, even lower concentrations of CO may cause injury
15 to vital organs.

16 Recognizing that carbon monoxide in the air is a
17 growing menace to the nation's health, the National Academy of
18 Sciences recently released a report on CO, one of the conclu-
19 sions of which was that carbon monoxide control and effects
20 should be the subject of special scrutiny by the nation's
21 health experts. We may ask how much further evidence is neces-
22 sary when we recognize that carbon monoxide poisoning in a
23 closed garage is one popular form of suicide.

24 Suicide and air pollution are indeed related to
25 transportation in light of the fact that the nation's 87 million

1 cars blow more than 90 million tons of pollutants into the air
2 every year. If indeed the Department of Highways and Traffic
3 is in favor of a balanced transportation program, something
4 other than additional automobiles must be offered to provide
5 this balance. The Air Pollution Policy proposed by the
6 Department near the very end of the freeway proposal is
7 commendable -- by itself.

8 Without hesitation, I support such a proposal to
9 purchase pollution-reducing vehicles for the D. C. Government.
10 It is inconceivable, however, that such a limited program
11 would be offered by the Department to induce environmentalists
12 to support a massive freeway project. Any one of the addi-
13 tional freeway legs would instantly create more air pollution
14 than would be reduced by the installation of pollution control
15 devices on government-owned vehicles.

16 A truly balanced transportation program demands alter-
17 natives to the congesting, polluting automobile. To prevent
18 an imbalance in favor of the private car, for example, New York
19 officials and urban theorists are thinking about various propo-
20 sals: "greatly increased tolls on entry to the city over the
21 bridges and through tunnels, the revenue would finance mass
22 transit, heavy taxation on auto ownership, elimination of
23 parking on the streets in much of the city, even elimination of
24 all private auto travel in downtown Manhattan."

25 In conclusion, I recommend that no additional freeways

1 be started at this time in our Nation's Capital. At the
2 very least the Washington residents deserve to know exactly how
3 much air pollution additional freeways would create. As former
4 Secretary of Transportation Alan S. Boyd thoughtfully commented
5 at the Third National Conference on Air Pollution in 1966:

6 "...a crowded store has no worries about going
7 out of business. On the other hand, a store that
8 asphyxiated its customers would indeed have a doubtful
9 future."

10 Thank you.

11 COUNCILMAN MOORE: Thank you very much for your very
12 useful testimony.

13 Councilman Haywood?

14 COUNCILWOMAN HAYWOOD: No questions of the gentleman,
15 thank you.

16 COUNCILMAN MOORE: Councilman Robinson?

17 COUNCILMAN ROBINSON: Thank you.

18 MR. WINDER: Thank you, sir.

19 COUNCILMAN MOORE: Again, we thank you for coming
20 and testifying for us tonight.

21 MR. WINDER: Thank you, sir.

22 (Applause.)

23 COUNCILMAN MOORE: Mr. James Deane, Wilderness
24 Society.

25 Mr. Deane, morning has come, and we welcome you here

1 this morning to testify.

2 TESTIMONY OF

3 MR. JAMES DEANE

4 WILDERNESS SOCIETY

5 MR. DEANE: Thank you. Mr. Chairman, I marvel at
6 the endurance of the members of the Council who are still here.
7 I regret having to take any more of your time and prolong an
8 early morning rise.

9 I am James G. Deane. I am assistant editor of The
10 Wilderness Society, a national non-profit conservation organi-
11 zation which has headquarters at 729 Fifteenth Street, North-
12 west in Washington and a regional office in Denver, Colorado.
13 I am also a resident of Washington and have been for many years.
14 I appreciate the opportunity to present the views of the the
15 Wilderness Society on the freeway proposals being considered
16 by the Council.

17 The Wilderness Society, which has a membership of
18 approximately 60,000, has a principal purpose of endeavoring
19 through educational means to perpetuate America's wilderness
20 resources for the benefit of future generations. But it also
21 actively supports sound programs for conserving our other
22 natural resources, including the scenic, recreational and
23 environmental assets of our populated areas. Many of our
24 members are actively involved in environmental issues in the
25 Washington area.

1 The Wilderness Society is deeply disturbed by the pro-
2 gressive deterioration of the environment of Washington being
3 caused by the expansion of automotive traffic and by the
4 development of a freeway network intended to expand this
5 traffic still further.

6 The Potomac and Anacostia Rivers and the parks of
7 Washington, which with our national monuments and principal
8 public buildings are among the city's most significant public
9 assets, have already suffered seriously from the inroads of
10 motor vehicles and pavement. Several years ago, the director
11 of the National Park Service reported that more than 240 acres
12 of Washington park land had been preempted by highways. In
13 meaningful terms there is no way to make up such a loss. Yet
14 the freeway plans and proposals now under review by the Council
15 involve much additional park encroachment. Even more important:
16 these proposals represent the furthering of a trend that
17 inevitably will mean repetition after repetition of such
18 unfortunate social sacrifices.

19 I think we must agree that the freeway concept as it
20 has grown and elaborated itself is diametrically opposed to the
21 principles of conservation. The motor vehicle and the pavement
22 that serves it are already making more and more exorbitant
23 demands upon our increasingly scarce land, as well as upon the
24 air we breathe, the quiet we crave and the beauty and order we
25 are entitled to have in our surroundings. Building freeways is

1 bound to intensify these demands and accelerate the downgrading
2 of our environment.

3 The first thing the Wilderness Society would say,
4 then, about the freeway proposals is that to meet our transpor-
5 tation needs our community and the nation should instead be
6 turning to alternatives such as rapid transit, and undoubtedly,
7 a great deal more of it than the Washington area has yet
8 committed.

9 Second, we must deplore vigorously the present commit-
10 ment of the city to the Three Sisters Bridge project, of which
11 the Wilderness Society is one of the challengers in the courts;
12 to the Potomac Freeway along the C & O Canal; and to the East
13 Leg Freeway in Anacostia Park. Three Sisters not only means
14 gross defacement of the lower end of the beautiful Potomac
15 Gorge but holds the seeds of a future freeway take-over of
16 Glover-Archbold Park, as well as of most of the Fort Circle
17 Park, for the so-called future Intermediate Loop. Both these
18 projects are long-standing intentions of the Highway Department.
19 The Potomac Freeway would be a gun barrel pointed into the
20 heart of Washington, just as Three Sisters would be at Glover-
21 Archbold and Fort Circle Park.

22 The East Leg would preempt two more miles of park
23 land along the Anacostia River, where the Anacostia Freeway
24 already has taken 140 acres and blighted many more. I should
25 add that we cannot support any plan which calls for invasion of

1 the magnificent National Arboretum, an educational as well as
2 scenic resource of national importance.

3 Third, we would like to point out that the proposed
4 North Leg could well end up encroaching upon the all too slender
5 strip of park land along Rock Creek and Potomac Parkway, as
6 originally intended.

7 Fourth, we would like to call your attention to the
8 fact that the proposed North Central Freeway, even if it did
9 not encroach on Washington park land -- and there is no
10 guarantee at all on this score -- would aim at valuable
11 stream-valley parks in nearby Montgomery County, whose citizens
12 have just succeeded in halting plans for the very connection --
13 temporarily, at least.

14 Fifth, we must register astonishment that the government
15 at any level is seriously contemplating thrusting an interstate
16 freeway through West Potomac Park, the Mall and the Tidal Basin,
17 in the precincts of the Lincoln Memorial, the Jefferson Memorial
18 and the Washington Monument. Engineers have offered three
19 alternative proposals: first, two tunnels, a huge connecting
20 trench through the future Franklin Delano Roosevelt Memorial,
21 and streaks of pavement plunging in several directions through
22 the cherry trees; second, a mile-long tunnel preceded by a
23 mammoth excavation cutting through the Tidal Basin and the
24 Reflecting Pool with its flanking elms, with ventilating towers
25 near the Lincoln Memorial and the Tidal Basin; and third, a

1 shorter tunnel at the Lincoln Memorail pointing ominously down
2 the existing Independence Avenue. Any of these three presumably
3 would be capable of accommodating tractor-trailer trucks, or
4 could become so.

5 It has never been adequately explained how part of the
6 truck-carrying Interstate Highway System came to be planned
7 for the heart of the area containing the nation's most revered
8 monuments. I would like to interject just at that point a
9 rather significant fact that the south part was not a part of
10 the Interstate Highway System as originally drew up by the
11 Highway Department and submitted to Congress in 1955. It was
12 added, I believe, sometimes after 1960.

13 We believe the proper and wise action would be to
14 delete the South Leg immediately from the interstate system,
15 and leave the monument area as it is.

16 For that matter, the wise course could well be to
17 delete the entire District of Columbia from the interstate
18 system and take a fresh look at Washington's future. I might
19 also interject a reminder here that Secretary Boyd when he
20 was in the Department of Transportation did remove the South
21 Leg from the interstate system, and it was reinstated by
22 Secretary Volpe, we think ill-advisedly.

23 (Applause.)

24 The Wilderness Society regards it as unfortunate that
25 highway planners aim so persistently and automatically for

1 park lands. It is also a violation of national policy, stated
2 in the federal highway acts themselves. Surely that policy
3 should be respected.

4 We who live in Washington have a special obligation
5 to the rest of the people of the nation with respect to the
6 national capital's future. The Wilderness Society hopes that
7 the Council will keep this in mind in reviewing the freeway
8 issue.

9 We would also like to suggest that the Council
10 obtain specific information from the Highway Department about
11 future intentions -- for Glover-Archbold, for an Arizona Avenue
12 bridge, the Intermediate Loop, for Rock Creek Park, for street-
13 widening. The freeway commitment, once it is made, would have
14 many ramifications. I would also like to interject at that
15 point, reference to a statement made by the then engineer,
16 General J. Clark, now head of the engineers at the meeting of
17 the National Park Planning Commission that I attended in 1961
18 at which General Clark said that the city was holding in reserve
19 a very large scale street-widening program to put into effect
20 after the freeways had been committed in order to make the
21 freeways work. I think this is very significant in terms of
22 the claims that have been made this evening, and I presume at
23 other hearing sessions. That the freeway system will relieve
24 other streets of traffic, I think the contrary is true, and I
25 think that that was very clearly indicated by General Clark's

1 statement at that time.

2 I would like to make two closing remarks. Washington's
3 parks belong to all of the people. They should not be sacri-
4 ficed, any more than the rest of a livable, hospitable environ-
5 ment. Second, everyone is saying this is to be the
6 "environmental decade." It would be a travesty if we failed to
7 save even the environment of the nation's capital.

8 Now one final statement, I would like to append. I
9 would hope the City Council here would show the kind of fore-
10 sight and courage that has been shown by the Board of Super-
11 visors of San Francisco, where because of popular objection to
12 a mammoth freeway program, the supervisors rejected the freeway
13 program, and have succeeded at least so far in upholding that
14 objection, that rejection.

15 I understand that in addition, and this may be pro-
16 phetic with respect to a possible change in the attitude on
17 the part of the Congress that the California legislature is
18 disposed to reject the proposal to add another bridge across
19 San Francisco Bay for motor vehicles in direct competition with
20 the new mass rapid transit system that is now being completed
21 there.

22 I would hope that the wave of the future is a con-
23 sciousness of the environment and of the insult to the environ-
24 ment that the automobile is increasingly presenting, and that
25 the Council here will become a part of this wave of the future

1 and take a stand. Certainly, the members of the Council are
2 not going to be beheaded if they stand up for what is right
3 in terms of the public interest. And I think this would be
4 worth -- regardless of whether the Congress and the Executive
5 cares to pay it any attention.

6 Thank you very much at this hour for allowing me to
7 make this statement.

8 COUNCILMAN MOORE: Thank you very much, Mr. Deane.
9 Councilman Haywood? Councilman Robinson?

10 COUNCILMAN ROBINSON: No, thank you.

11 COUNCILMAN MOORE: All right. Your statement will
12 be made a part of the record.

13 (Applause.)

14 Reverend Franklin P. Nash, United Methodist Church --
15 I don't believe the Reverend Mr. Nash is here at this time.

16 May I thank you for your patience here tonight, and
17 all of you for your testimony in this sessions.

18 Tomorrow morning at 10 a.m., there will be another
19 session for witnesses on the proposed program from the Highway
20 Department related to the system, and all you are welcome to
21 attend if you like.

22 VOICE: May we stay here tonight?

23 COUNCILMAN MOORE: This session is now adjourned.

24 (Whereupon, at 1:05 o'clock a.m., the above-entitled
25 hearing was adjourned.)

