5-1999

The Interstate Highway Act of 1956

Edward H. Bogle

Follow this and additional works at: http://scholarship.richmond.edu/honors-theses

Recommended Citation

This Thesis is brought to you for free and open access by the Student Research at UR Scholarship Repository. It has been accepted for inclusion in Honors Theses by an authorized administrator of UR Scholarship Repository. For more information, please contact scholarshiprepository@richmond.edu.
THE INTERSTATE HIGHWAY ACT OF 1956

by

Edward H. Bogle
University of Richmond
Richmond, Virginia

Honors Undergraduate History
Senior Thesis

May 1999
ABSTRACT

The purpose of this paper is to examine the development and passage of the Federal Aid Highway Act of 1956, the Interstate Highway Act. It begins by examining the background of federal aid highway legislation in the United States in the twentieth century, and the state of US roads in the mid 1950s. The paper then turns to focus on the development of governmental interest in an integrated, limited-access, national system of modern interstate highways. It further tracks the failure of several highway bills to pass in 1955, and then the successful passage of the 1956 bill: through the legislative committee stages of both houses, the debates in both houses, and finally the end product itself.

Major themes include the lack of interest or understanding of urban issues, the overall poor leadership by the Eisenhower administration, the presence of a Cold War mentality, the unwillingness to compromise which doomed 1955 proposals, and the willingness to compromise which allowed success in 1956.
The United States has always been a nation on the move and a nation traveling on its own wheels: from the first conestoga wagons to push through the Cumberland gap, to the railroad locomotives that surged across a brash young continent, to the Model-T Fords rolling off the assembly line in River Rouge, Michigan. To a great extent, the American character and the American nation have been built on the ability of every man to pick up and move at any time he wishes. The industries of the United States have needed moving supply lines to feed raw materials to the factories, and moving lines of distribution to get goods to the city department store and the county general store alike. The hands that built the factories and manufactured the goods and sold them to others also had to get from home to work and back again.

In the twentieth century, the highway system has made this not only a possibility, but a reality. The automobile and the road have allowed us to disperse our factories, our stores, our farms, and our homes. We have revolutionized living habits with our roads and with our automobiles. The cities have spread off into vast suburbs, dependent on the automobile for their existence. An entire generation has grown up behind the wheel, and created a way of life built around the automobile: "Two-Ford Freedom" for husband and wife alike, or the ability for the entire family to "See the USA in their Chevrolet."

But how did it all start? What did our leaders do so that you can climb in your car in Maine and continue on uninterrupted until you reach San Diego, limited only by the gas in your tank and the energy in your heart? That is the purpose of this study. To examine the legislative process which led to the passage of the Federal Aid Road Act of 1956 - the Interstate Highway Act. It was the act that revolutionized highway financing, management, and construction in the United States, and it changed our country forever. Though many road acts had come before it in the twentieth century, it was the largest, most comprehensive one ever. The modern interstate system in the United States would become the greatest public works project in all of human history, and it was established by one single act of Congress. But the act was not so easy to come by. First, a series of
alternative plans were come up with, and an unwillingness to compromise and a general lack in feasibility caused all of them to fail. The reason the act of 1956 successfully made it was because it was a good bill from the beginning, and the parties involved were ready to compromise.

On January 6, 1955 in his State of the Union Address, President Dwight Eisenhower told the country that "a modern, efficient highway system is essential to meet the needs of our growing population, our expanding economy, and our national security."\(^1\) It was true when he said it in 1955, but the story begins over forty year earlier.

* * *

On July 11, 1916, Congress passed the Federal-Aid Road Act of 1916, thus inaugurating federal aid for highways in the modern sense. The act appropriated funds to continue for five fiscal years, beginning with $5 million for the year ending June 30, 1917, and increasing to $25 million by the year ending June 30, 1921.\(^2\) However, the act would only appropriate funds to states which had established effective state highway departments. Rapidly, every state that did not already have such an organization established one. The federal Bureau of Public Roads at this time was under the general direction of the Department of Agriculture. The 1916 act authorized the Secretary of Agriculture to cooperate with the states through their highway departments in the building of rural post roads. The purpose at this time was to facilitate the movement of


the federal mails. Urban areas were left untouched by the 1916 legislation. Finally, the roads built under the act were to be free from tolls of all kinds.³

The next major piece of legislation was the Federal Highway Act of 1921. This act expanded the concept of federal highway aid: it expanded the allowable use of federal grants and designated what would be called the federal-aid primary road system. This primary system was a large interconnected and interstate system of roadways, which could not exceed seven percent of the total road mileage in each state. Each state was to initiate all contracts and work on federal-aid roads. At this time, a formula was set to determine the apportionment of federal funds to the states: one-third would be granted on the basis of the percentage of total land area the state held in the Union, one-third on population, and one-third on the amount of rural post road mileage. Finally, the 50-50 matching formula of state and federal funds was established: for each dollar the federal government spent on the states' roads, the states would have to chip in an equal amount.⁴

The acts of 1916 and 1921 were similar, the second one merely expanding on the first. However, an act passed by Congress in 1944 marked a major departure from previous legislation. Large amounts of federal funding were now made available for the extension of primary highway projects into urban areas, and also for the addition of a system of federal-aid secondary roads. Here was the first time that specifically urban issues were addressed by Congress. Funds could now be used not only to connect farm to market and post office to isolated hamlet, but also to connect points within the same metropolitan area: the worker to his factory, for example. Congress appropriated an expenditure of $500 million a year for three years (the largest single allocation of road money up to that point) to both primary and secondary roads. The 1944 act authorized

³Ibid., 2.

⁴Ibid., 3.
40,000 miles of a National System of Interstate Highways to "connect by routes, as direct as practicable, the principle of metropolitan areas, cities, and industrial centers, to serve the national defense, and connect... with routes of continental importance in the Dominion of Canada and the Republic of Mexico." The system designated 40,000 miles of heavily traveled routes (mostly part of the federal-aid primary system) as interstate highways. It embraced only 1.2% of the total road mileage in the US, but it joined 42 state capitals and all of the cities in the country with populations of over 50,000 people. Thus, it served 65% of all urban and 45% of all rural Americans. Substantial new expenditures also were authorized for the building and maintenance of roads in national parks and forests, Indian reservations, and other public lands.

During the depressed years of the 1930s, roads generally suffered neglect as municipalities, counties, and the federal government alike suffered from a lack of money. However, some work was done as part of the Public Works Administration's New Deal programs. Likewise, during World War II, there was virtually no new highway construction or even maintenance of the old roads, with the exception of access roads of strategic importance to military and natural resource installations. Though the 1944 act was passed while the war was still being fought, the actual progress in a national interstate highway system did not get underway until late 1946 after war's end.

The last major piece of road legislation before the great act of 1956 was the Federal-Aid Highway Act of 1954. Congress here reflected the growing public interest (and outrage) voiced throughout the nation. It was the largest authorization ever made

---

6See Figure 1, page 59.
7Public Papers of the Presidents of the United States, Dwight D. Eisenhower, 1955, 277.
8Highways: Development, Use, Financing, 4.
9Ibid., 7.
for roads, totaling $700 million a year in regular federal aid for the primary, secondary, and urban systems, with $175 million a year for the interstate system, bringing the grand total of expenditures to $875 million for the fiscal years of 1956 and 1957. The act also modified the traditional formula for state allocations, now giving more weight to the state’s population. A new matching ratio for the primary system was now set at 60% federal and 40% state.\(^\text{10}\)

By 1954, the United States contained approximately 3,003,000 miles of rural roads.\(^\text{11}\) Of this, 358,000 miles were included in the primary state highway systems.\(^\text{12}\) There was a further 2,567,000 miles of secondary road systems, also rural, which served the land and connected farms to villages to crossroads towns and main interstate highways. Of these secondary roads, counties were responsible for 1,739,000 miles and local townships controlled 622,000. There was a total of 206,000 miles of secondary roads under state control with an extra 8,000 miles located in state parks and other municipal lands.\(^\text{13}\) Many of these roads, however, were in a deplorable state. Of the total mileage, 1,273,000 miles were unimproved or graded and drained dirt roads. Approximately 1,216,000 miles were surfaced with stabilized soil or with gravel or crushed stone. Only 854,000 were paved in the sense of the word as we now know it (tar or asphalt, Portland cement, concrete, or stone block or brick).\(^\text{14}\) Also, over 126,000 miles of the surfaced primary state rural highways were less than twenty feet wide, and only 4,000 miles were divided highways with more than four lanes. The federal

---

\(^{10}\)!bid., 9.

\(^{11}\)Congressional Digest, 133.


\(^{13}\)!bid.

\(^{14}\)!bid., 7.
government, for its part, solely maintained about 70,000 miles of roads, which were located in national parks, Indian reservations, and so forth. These were the only roads maintained by the federal government without help from the states in which they were located.\textsuperscript{15}

By the mid 1950s, however, there were noticeable problems with the US highway system. Many local (rural town, country, and poor state) road boards had only small mileages to regulate. However, they were unable to afford the specialized machinery, administrators, and technicians necessary for complete modern road management.\textsuperscript{16} Large cities like New York, Chicago and Los Angeles faced especially complicated problems like heavy traffic, streets under a great deal of wear and tear, the necessity of tearing up roads on a regular basis to reach utilities located below, the necessity of providing mass amounts of parking, and the courses of street cars, bus lines, and other forms of mass transit. As early as 1954, the Bureau of Public Roads was advocating that "in the very large cities, the modern expressway, which eliminates cross-traffic, is the only solution to traffic congestion on the major thoroughfares."\textsuperscript{17} Expressways, to solve traffic problems in major cities, could not go around the cities, but had to go through them, allowing for traffic not just into or out of the city, but also within it.

Traffic expanded greatly after the close of the Second World War. However, this expansion of traffic was without a corresponding expansion in the capacity of roads and streets. It was estimated that there was one motor vehicle for every 700 feet of every lane in both directions.\textsuperscript{18} Charles Freed, president of the National Automobile Dealers Association, said that "we have not built as many miles of highway since World War II as

\textsuperscript{15}Ibid., 5.
\textsuperscript{16}Ibid., 6.
\textsuperscript{17}Ibid., 7.
\textsuperscript{18}Congressional Digest, 135.
we have built miles of passenger cars.\textsuperscript{19} The automobiles in the United States traveled 557 billion miles in 1954, much of it along a few hazardous and over-congested routes. It was projected that there would be a 40\% increase in the number of motor vehicles by 1965, traveling 814 billion miles. Furthermore, there would be an increased average weight of vehicles, higher average speeds, and heavier axle loads on trucks, all contributing to the rapid deterioration of the nation's highways.\textsuperscript{20} The dangers were clear, and by the early 1950s, road interests were mounting public awareness advertising campaigns to get the American people to start things moving.\textsuperscript{21}

The states were attempting to deal with the highway crisis on their own. By 1955 the states had at least 5,240 miles of toll roads in operation, under construction, financed, or authorized to be financed and constructed. These generally paralleled or coincided with the federal interstate system. Additional plans in these and other states would bring the number up to 8,527 miles. However, it was observed that toll financing could not meet the needs of the entire interstate system.\textsuperscript{22} Toll financing was one of the main methods of highway financing. Here, the government would follow the leads of many of the states. Bonds would be issued to pay for road construction, then tolls would be levied on the users of completed highways until a median of finance was reached, allowing tolls to be eliminated completely (and the maintenance paid out of the general state treasury) or to be lessened to lighter levels.

\textsuperscript{19} Tom Lewis, \textit{Divided Highways} (New York: Viking, 1997), 105.

\textsuperscript{20} \textit{Congressional Digest}, 135.

\textsuperscript{21} See Figure 2, page 60.

\textsuperscript{22} \textit{Ibid.}, 137.
On July 7, 1919 Dwight Eisenhower joined the US Army's first transcontinental trip by car and truck from Washington DC's zero milestone. A three-mile convoy of motorcycles, trucks, and automobiles staffed by 260 enlisted personnel and 35 officers set out for Union Square in San Francisco three thousand miles away. It took a total of 62 days to cross the country and the average speed was only five miles an hour. Breakdowns and accidents were common and road conditions ranged from average to non-existent. The young Eisenhower never forgot the trip, and over thirty years later in the White House he recognized the problem of American highways and initiated action on it.

The first real orders from the Eisenhower administration came in April of 1954, when Eisenhower instructed three members of his administration (Francis du Pont, Sherman Adams, and John Stewart Bragdon) to devise a "dramatic plan to get $50 billion worth of self-liquidating highways under construction." The wording of this order was noticeably and purposefully vague, since Eisenhower himself had no idea what the system would look like and how it would be paid for. Yet even at this early stage it seemed clear to Eisenhower that the program should pay for itself.

The three men whom Eisenhower had instructed to begin this project were well-suited to the task at hand. Francis du Pont was commissioner of the Bureau of Public Roads and was an MIT trained engineer. He had chaired the Delaware state highway commission for 23 years and was known as one of the ablest highway administrators in the nation. Furthermore, he was an Eisenhower ally: politically astute, he had headed

\[23\text{Lewis, 89-90.}\]

\[24\text{Ibid., 99.}\]
Delaware's Republican Party for years and believed (like Eisenhower) that the government could stimulate economic growth through frugal and sensible spending on national programs. Sherman Adams, a humorless, blunt man, was a former governor of New Hampshire and Eisenhower's chief of staff. Adams believed that the old relationship between the states and the federal government should be maintained in highway programs. Also, importantly, he believed in the prudence of a "Continental Highway Finance Corporation" to finance construction, leaving the actual building to the states themselves. Finally, there was Major General John Bragdon. During the war, he had supervised all war construction for the army and air force in the South Atlantic and all airfield construction in Central and South America. In 1953 he was appointed head of the public works unit of the Council of Economic Advisors. A soldier, not interested in the realities of politics, Bragdon advocated the creation of a "National Highway Authority" with broad powers to take total control over all highway financing and construction.\(^{25}\)

This team was never able to come up with a single, solid recommendation like Eisenhower wanted. As for financing, Bragdon's side argued for roads financed through an initial bond issue to be paid for through toll collections, following the example of such states as Pennsylvania and New Jersey, who had successfully built large stretches of modern highways in such a manner. There also were disputes over how much should be paid by the federal and how much should be paid by the state governments. Eisenhower, for his part, was still committed to the proposition that any highway program instituted should not increase the national debt.\(^{26}\)

\(^{25}\)Ibid., 99-102.

\(^{26}\)Ibid., 102.
In July 1954, President Eisenhower was scheduled to address a meeting of the governors in New York. However, because of a death in the family, he was unable to attend. Taking his place, Vice President Richard Nixon delivered Eisenhower's speech for him. Among the other items discussed, Eisenhower's speech announced a "grand plan for a properly articulated system that solves the problems of speedy, safe, transcontinental travel - intercity communication - access highways - and farm-to-farm movement - metropolitan area congestion - bottlenecks - and parking."\textsuperscript{27} The plan called loosely for $5 billion a year for the next ten years, and a nebulous "cooperative alliance" between state governments and the federal government. Though this statement was a brief one, it had "an electrifying effect"\textsuperscript{28} on not only those people in the United States who had a vested interest in highways and highway construction, but the governors and the nation itself.

* * *

In August of 1954, Eisenhower tried to get action going by appointing two more teams charged with developing a blueprint for a highway program. An interagency committee of the departments of Defense, Treasury, Commerce, and the Council of Economic Advisors would examine the question of funding. Another, called the President's Advisory Committee on a National Highway Program was to hold a series of public hearings and issue a report which would demonstrate the need for new highways and propose a larger plan for actually building them. This committee was to be chaired by General Lucius Clay, and was known as the Clay Committee.\textsuperscript{29} General Clay himself

\textsuperscript{27} The Eisenhower Administration: A Documentary History, vol. 1, Robert Branyan & Lawrence Larsen eds. (New York: Random House, 1971), 537.

\textsuperscript{28} Ibid., 539.

\textsuperscript{29} Lewis, 105.
was an able engineer and administrator who had overseen the army's construction of airports before the beginning of World War II and had worked to keep Allied troops supplied during the war in Europe. He also had overseen the 1948 Berlin airlift. Clay was a perfect candidate for Eisenhower to pick to chair his highway committee: he was a soldier like Eisenhower, a Republican like Eisenhower, and had interests and connections in big business, like Eisenhower.\textsuperscript{30}

The people to be appointed to the committee were hand-picked by General Clay, and he selected only four people: Stephen Bechtel, chairman of the largest engineering firm in the world; S. Sloan Colt, head of Banker's Trust; William Roberts, head of Allis-Chambers manufacturing wing for heavy earth-moving machinery; and David Beck, head of the International Brotherhood of Teamsters.\textsuperscript{31} All of these men had vested interests in a large highway building program. Furthermore, all but David Beck were associated with big-business, contributing to a stereotype which plagued the Eisenhower administration, that Eisenhower and his associates were under the thumb of powerful big business interests.

The Clay Committee convened its first public hearing on October 7, 1954. Clay's opening remarks to the committee were that "we accept as a standing premise the fact that the penalties of an obsolete road system are large, and that the price in inefficiency is paid not only in dollars but in lives lost through lack of safety and also in national insecurity."\textsuperscript{32} This is a statement which demonstrates the overriding fact that the entire nation recognized the need for new highways. It was essential for a number of reasons to reform the nation's roadways.

\textsuperscript{30}Ibid.

\textsuperscript{31}Ibid., 106.

A wide range of private and public organizations testified during the hearings. Among them were groups as varied as the American Farm Bureau Federation and the National Grange, the United States Chamber of Commerce, the American Road Builders Association, and the Highway Municipal Association.\textsuperscript{33} The financing of the new road system was the most difficult issue, a troublesome sticking point which would continue to be so through the entire process of legislation. Some groups, including the Automobile Association of America and the American Petroleum Institute, believed that because one of the main reasons for the Interstate system was defense, the money should come out of the general budget.

The Clay report, issued finally on January 11, 1955, stated that "there can be no serious question as to the need for a more adequate highway system. Only the cost and how it is to be met poses a problem."\textsuperscript{34} This brief statement, however, said a great deal. The most controversial aspect of the creation of a modern integrated interstate system was the financing. Even at this early stage, that seemed clear. Indeed, this issue is what spurred debate for over a year and caused several highway bills to fail in Congress. Eisenhower, though, had given the Clay Committee guidelines for financing which it had to follow. Clay said himself that "we want to avoid a higher debt limit, further taxes, or greater deficit."\textsuperscript{35} But if a group appointed to advise on the best methods is confined with boundaries like this, how can it possibly give a full hearing to all possibilities of finance as well as fiscal soundness and fairness?

The Committee did suggest a funding plan, no matter how ill-founded and ill-fated. The plan estimated that the total construction needs of all highway systems in the

\textsuperscript{33}Ibid., 57.

\textsuperscript{34}Congress, House of Representatives, Committee on Ways and Means, \textit{Hearings on Highway Finance}: \textit{HR 9075}, 84th Cong., 2nd sess., 596.

following ten years, to bring them up to date, would be about $101 billion.\textsuperscript{36} The plan began with the creation of a new national corporation which would sell 30-year bonds to finance the building of a modern interstate system. The federal government, using the money raised from these bonds, would pay 90 percent of the total cost of construction and leave the rest to the individual states. The states and the Bureau of Public Roads would cooperate with one another in planning and executing construction. The bonds issued by the federal corporation would be paid off by money raised from the federal tax on gasoline and diesel fuel. The idea behind this financing proposal was that it would create no new taxes yet at the same time not create debt for the federal government. Rather, it was assumed that the new debt from the bonds would rest outside the federal budget in the lap of this new federal highway corporation. Bonds, furthermore, would make money available immediately to be used for construction. The American public would benefit from the large amount of money that would be quickly injected into the economy and the many new jobs that would be created throughout all levels of the program.\textsuperscript{37} Furthermore, the report advised that states which had already built sections of the interstate system as toll-roads or other highways should be reimbursed by the federal government for the cost of building these roads.\textsuperscript{38} This program was just the kind of thing Eisenhower had wanted: a program established by vested interests under the leadership of a general; and a program which would not raise taxes, and in a technical, accounting sense, not raise the national debt at all. On paper the Clay report of 1955 was a win-win proposal.

The proposal, however, included major flaws which would eventually prove to be its undoing. Importantly, the finance plan which would become the basis of later

\textsuperscript{36} Committee on Ways and Means, \textit{Hearings on Highway Finance: HR 9075}, 569.

\textsuperscript{37} Lewis, 112.

\textsuperscript{38} Committee on Ways and Means, \textit{Hearings on Highway Finance: HR 9075}, 570.
administration proposals was based on an illusion. How could anyone assume that a debt incurred by a federal corporation was outside the federal debt? If the bonds were to be fiscally sound (and thus attractive to investors), they must be fiscally sound and backed by the collateral of the federal government. If they are so backed, then they logically are part of the federal government's assumed responsibility of debt. If they are not backed by the federal government, then they are not part of the federal government's debt, yet they also are not fiscally sound. It was, quite simply, a fiscal paradox.

There was another major shortcoming of the Clay Committee, and one that would be made throughout the legislation process (and afterward, as the new roads were planned and actually built). That issue was the role of cities. Robert Moses, chair of New York's highway commission and the grand old man of urban roadways, testified before the Committee that "the needs of cities must not be minimized because they require relatively little mileage. This is strategic mileage of vital importance to both interstate and urban systems."\textsuperscript{39} It was put to the Clay Committee and all other highway commissions time and again that it was important to recognize the needs of \textit{intracity} as well as \textit{intercity} travel. Reports had indicated that the bulk of traffic that would use interstate roadways would use them to travel from one point to another in a given metropolitan area. This, however, seemed to be a point ignored by federal commissions focused on travel across the country to no specific destinations and evacuation of major cities in the event of an atomic war.

\textsuperscript{39}Davies, 18.
Several months later, as Congress opened in February of 1955, Eisenhower sent a special message to Capitol Hill regarding a new highway program for the nation. He began by noting that "Our unity as a nation is sustained by free communication of thought and by easy transportation of people and goods." He then quickly outlined the massive costs borne by the United States for not having an efficient, modern highway system. Over 36,000 people were killed and over one million injured annually on US highways. The cost of all highway accidents was about $4.3 billion a year. Furthermore, poor road conditions were said to increase the cost of vehicle operation by over one cent per mile. This cost, Eisenhower continued, trickled down to every sector of the economy; increased costs of overland shipping were bad for everyone. A frightening reason why a new highway system was needed was the possibility of an atomic attack on the United States. The roads would need to permit both the speedy evacuation of cities, the mobilization and transportation of military elements, and the maintenance of the economy. Furthermore, the number of automobiles were increasing. By 1965, the president estimated, 81 million vehicles would travel 814 billion miles.

It was to Congress that the President first unveiled the ten-year, $101 billion project which he believed was necessary to modernize the US highway system. The preliminary totals announced on February 22, 1955 were $23 billion for the federal interstate system (with $11 billion for urban and $12 billion for rural roads); $30 billion worth of aid to the old federal aid primary road systems (with $10 billion for urban and $20 billion for rural); and $15 billion for the all rural federal aid secondary road systems.

40 Public Papers of the Presidents of the United States, Dwight D. Eisenhower, 1955, 275.

41 Ibid., 276.

42 Ibid.
An extra $33 billion dollars was tacked on for increased aid to other roads and streets (extras for congested urban areas, Indian reservations, federal parks, and so forth). The grand total of this outline came to $37 billion for urban roads and $64 billion for rural roads.\textsuperscript{43}

Eisenhower's speech also summarized the findings of the Clay Committee. The Committee recommended that the federal government should assume the major responsibility for the cost of a modern interstate system to be completed by 1964 at an average annual cost of $2.5 billion. Also, the current federal aid to the primary and secondary systems should continue at 1954 levels of $525 million per year. Urban federal aid roads should continue to receive $75 million a year, and federal aid funds to forest and other federal highways should be maintained at $22.5 million per year.\textsuperscript{44}

But how was all of this going to be paid for? This was one of the pivotal questions of the entire highway construction debate. This question would defeat the highway bills proposed in 1955, and its resolution would eventually help to allow the passage of the 1956 bill. In 1955, as he would later, President Eisenhower wanted to have his cake and eat it too. First and foremost, he wanted a modern, efficient highway system. This is clear. Most everyone saw the need for a solution to the highway problem before it got too bad. But how to pay for it? Eisenhower was also dedicated to not increasing the budget or the national debt. His solution was to suggest the creation of a federally chartered highway corporation, financed by federal bonds and the application of revenues earmarked from taxes on tires, gasoline, oil, etc. These revenues, however, were not to be directly paid into the federal highway corporation. As in the past, this money would be paid into the general treasury. The federal aid for roads also would

\textsuperscript{43}\textit{Ibid.}, 278.

\textsuperscript{44}\textit{Ibid.}, 279.
come out of the general treasury, not from a special fund set aside. This concept was
called "linkage," and had been part of highway finance theory since the beginning.

Eisenhower believed that a good highway program should "stand on its own feet,
with highway users providing the total dollars necessary for improvement and new
construction. Financing... should be based on the planned use of increasing revenues
from present gas and diesel oil taxes, augmented in limited instances with tolls."\textsuperscript{45} Part
of Eisenhower's thinking was that the taxes on the costs of owning and operating an
automobile would not have to be increased, because as the number of automobiles on the
roads increased and the number of miles traveled by these automobiles increased, the
revenues raised through user taxes would do the same. As a supplement to the collection
of linkage taxes on road use products, Eisenhower supported a bond issue, to be counted
as being technically outside the federal deficit (as it was supposed to be assumed by a
federal highway corporation) but amassing billions of dollars. Eisenhower was "inclined
to the view that it is sounder to finance this program by special bond issues."\textsuperscript{46}

The 1955 administration highway bill may be seen as an example of bad
 technique and form in the presentation of legislation to Congress. The administration
bill, S. 1160, which basically was the legislative version of the Clay Report, was
introduced by Senator Francis Case (Republican, South Dakota), yet on the opening day
of the hearings, he said that "I doubt that anybody is an authority on this bill yet, because
I doubt that anybody has had an opportunity to read it."\textsuperscript{47} Clearly, this statement points
to the fact that the administration failed to consult with legislators in any kind of
thorough manner on a program which it expected them to support and pass.

\textsuperscript{45} Ibid.

\textsuperscript{46} Ibid., 280.

The eventual defeat of the administration proposal S. 1160 can be attributed largely to arch-conservative Southern Democrat Harry Byrd of Virginia, chairman of the Senate Finance Committee. Byrd was fiscally conservative, opposed to any new expenditures by the federal government. But Byrd was also no stranger to highway legislation. As a freshman state senator in 1916, the first bill he offered up was a plan to improve the Virginia highway department and improve the quality of road construction. Furthermore, he had spend eight years as the manager of the Valley Turnpike Company. His ideas, though, focused mainly on the local units (in Virginia, the counties and in the US the states) as the best agents of highway construction. In 1922, state senator Byrd had successfully fought a large issue of bonds in Virginia to pay for highway construction. It was clear that in 1955 he would never support an extra-governmental corporation with $20 billion worth of bonds, accruing $11.5 billion in interest, all of which were alleged not to increase the national debt. Byrd said quite simply that if the bill were passed, it would mean "the end of honest bookkeeping." Byrd's opposition was not to be ignored. Senator Edward Martin (Republican, Pennsylvania) believed that the plan "will work. But when you get men the caliber of Harry Byrd objecting, it gives you pause."

Speaking before the Senate Public Works Committee on March 18, Byrd denied that the present situation was dire enough to warrant such a violent shift away from what he saw as fiscal tradition and soundness. He said that "if S. 1160 is enacted in its present form, it will destroy sound budgetary procedure." Byrd criticized the administration's

49 Ibid., 35
50 Lewis, 114
51 Heineman, 363
52 Congressional Digest, 145
proposal on a number of levels, among them the fact that it would concentrate a great deal of power that previously was shared with the states in the federal government, and the fact that the bill did not provide for the financing of future maintenance on roads, all criticisms he had made of earlier roadway bills in his career as a Virginia state senator.\textsuperscript{53} Mainly, however, Byrd attacked the financing of a highway program in the form of the proposed highway corporation. To begin with, he called attention to the fact that the establishment of a federal dummy corporation could set a dangerous precedent. The corporation's authority, Byrd said, clearly violated and superseded the authority of the states, and it was granted power (like licensing, contracts, acquisition of rights-of-way, etc.) which would be without direct federal control or monitoring. He pointed out that "there probably never was a corporation - public or private - with assets so small and liabilities so large."\textsuperscript{54} Importantly, he also said that as long as we keep "piling up debt to be paid by our children and grandchildren, the least we can do is to keep the books honest."\textsuperscript{55} Byrd's ideas were heard and understood. Indeed, when the administration began work on the successful bill in 1956, Eisenhower was sure to tell advisors that Byrd was "to be consulted as to the most desirable procedures for expediting the bill."\textsuperscript{56}

Another official who spoke out against the bill to the Senate Public Works Committee was Comptroller General Joseph Campbell. Campbell attacked the financing corporation on a number of the same fronts, but added that the corporation might even be unconstitutional, as revenues are to be paid only to the US government for its use, not a private corporation. Furthermore, the debts would add an extra $11.5 billion in interest

\textsuperscript{53}Heineman, 363.
\textsuperscript{54}Congressional Digest, 147
\textsuperscript{55}Ibid
\textsuperscript{56}Heineman, 364
over the years.\textsuperscript{57} The American Farm Bureau Federation also spoke out against the administration bill. Their objection, however, was mainly that it violated states rights. Rather than concentrate road-building and road-finance power in the federal government, it should be handed more to the states.\textsuperscript{58}

Though a number of groups supported the bill, their arguments were weak at best. Secretary of Commerce Sinclair Weeks, for example, stressed in his testimony that it was vital to get a road program moving immediately.\textsuperscript{59} Likewise, Governor Walter J. Kohler of Wisconsin, speaking on behalf of the Governors' Conference, stressed mainly the need for a highway program. He, like Weeks, failed to necessarily defend or justify the financing provisions in the administrations bill.\textsuperscript{60} Though Attorney General Herbert Brownell said that the corporation would be legal, and that the debt of the corporation would not be federal debt, he failed to make a convincing case. Furthermore, his only defense of the solvency of bonds was that they would be insolvent only if the revenues raised were not enough or if Congress lowered the taxes.\textsuperscript{61} He failed, though, to make a valid case in favor of the bonds or the corporation and did not reconcile the fact that the corporation would depend on federal money, but its debt would be separate from the federal government.

Another highway bill also was produced in the Senate, S. 1048. This bill was crafted by the junior senator from Tennessee, Albert Gore. Gore was a Democrat who supported large public works programs, and took a moderate stand on civil rights. He

\textsuperscript{57}Congressional Digest, 153.

\textsuperscript{58}Ibid., 159.

\textsuperscript{59}Ibid., 148.

\textsuperscript{60}Ibid., 158.

\textsuperscript{61}Ibid., 154.
saw himself as a representative for a progressive New South.62 Gore drafted a highway bill of his own and described it as a "balanced program" for all portions of the federal-aid system.63 Gore's bill was designed to appeal to as many people as possible and also used the old federal aid system which had already been agreed upon. Gore's bill called for limited expansion, and was based on the traditional allocations system. The administration bill, however, called for unprecedented expansion as well as a unique and controversial method of financing.

From February 21-April 15 the Senate finance and public works subcommittees held hearings on the administration's bill. They heard testimony from 85 witnesses representing six federal agencies, senators, representatives, governors, mayors, and some 25 private persons with interests in the highway system.64 In the end, this amounted to about 1000 pages of testimony. The result of this, however, was the death of the administration bill in a 5-8 vote against S. 1160 by the Senate Public Works Committee. The final report of the Senate committee said that "the special corporate system of financing as proposed by S. 1160 is not conducive to sound fiscal management."65 The report further stated that the dedication of general government revenues to a corporation outside the federal government to service its own supposedly private bonds would place the Congress in "a fiscal straight-jacket"66 and effectively prohibit Congress from exercising its constitutional powers and responsibilities over debt creation and the spending of federal funds.

62 Lewis, 115.
64 Ibid., 237.
65 Ibid., 241.
66 Ibid.
The Gore bill, however, made it through the Senate Roads Subcommittee and into the full Public Works Committee, which allowed it through. Debate began on the Senate floor on May 20 and went on for five days until it was passed by a voice vote. The Gore bill as finally reported included a five-year program of authorizations with $900 million a year to regular federal-aid systems and $7.75 billion for five years for the Interstate system. The federal government would provide 90 percent of the funds for the interstates and the states would provide 10 percent. The bill also included controversial provisions for 50 percent reimbursement for the cost of relocation to all utilities companies that would be displaced by the new roads, as well as inclusion of the Davis-Bacon law, which would provide that all workers on the building projects would be paid the prevailing wage as determined by the Federal Department of Labor. It is significant to note that S. 1048 did not include provisions for any new revenues to be raised.

The first days of debate were not well attended (again, indicating the general lack of interest in the legislation) and were mainly oriented towards establishing the records of those legislators who had been working on the bill. The final day, May 25, however, was the big day for debate as the finances were discussed. The administration bill was re-introduced as a substitute bill at this time, yet again the finances were too unsound and the bill was defeated by a 60-31 vote (with five senators not voting).67 A final nail was placed into the coffin of the administration bill when it failed (50-39) to win a vote of recommittal for further study and possible amendment. The Senate now had rejected the administration's proposal three times.

When the Gore bill was finally passed by the Senate, it called for a five-year program of $12.2 billion with an extra $4.5 billion coming from the states. The interstate system would be paid for 90 percent by the federal government, and the other federal-aid

67Ibid., 246.
systems would continue to be split, 50-50, between the federal and state governments. Certain size and weight restrictions were placed on vehicles using the roads and utilities were to be reimbursed as in the original proposal. Conspicuously absent, however, was the Davis-Bacon provision, taken out to win support from Southern Senators.

Action in the House of Representatives, meanwhile, continued on a somewhat similar course. As the Senate Roads Subcommittee completed its hearings, the House Public Works Committee began to examine four similar bills which more or less embodied the administration's proposal. The Committee met from April 18 to June 1. Debate centered around the administration proposal only, though, and no one introduced a companion bill to Gore's S. 1048.

Debate in the committee was cut-throat, and many aspects of the administration proposal were attacked. On June 28, however, Representative George H. Fallon (Democrat, Maryland) introduced HR 7072. It authorized a $24 billion construction plan for 12 years on the interstates and stepped up aid to other federal-aid highways. For the first time, also, revenue provisions were introduced in the bill, authorizing a number of substantial taxes on fuels, tires, and other road-use products. Procedurally, these new tax provisions meant that a five-man subcommittee of the Ways and Means Committee would sit in with the Public Works Committee when appropriate.

Meanwhile, the administration was not backing down from its original plan, and was not willing to compromise. At a news conference on June 29, 1955, Eisenhower said that despite recent events in the House and Senate, "I am for [our plan] now just as strongly as I was when it was devised by the Governors and by the Clay Committee and put before the public." Furthermore, he continued to believe that the only two ways to

---

68 Ibid., 247.
69 Ibid., 251.
70 Public Papers of the Presidents of the United States, Dwight D. Eisenhower, 1955, 656.
finance the highway program were through "greatly increased taxes" or a bond issue.\textsuperscript{71} He reaffirmed the fact that he felt an external "liquidating corporation" was the only real way to finance highways and keep the numbers off the federal books as soon as possible.\textsuperscript{72} It is clear from these remarks, however, that Eisenhower, though he saw the need for a road program, was not so broad-minded when it came to actually getting legislation off the ground that could be passed and could work properly once instituted. Eisenhower was not yet ready to compromise, which also may mean that he did not want the road program badly enough yet.

On July 11, the Public Works Committee began full hearings. Because so many people attended, the Committee had to move its proceedings into the House caucus room. As could be expected, affected industry groups immediately opposed any and all increases in taxes that would apply to them. Many organizations, like urban public transport corporations, objected to taxes that would affect them when their vehicles would never use an interstate highway. This fact (that exemptions were not at first included in any revenue provisions) points again to the theme that policy makers repeatedly ignored the urban aspects of highway revenue-raising and construction. But the vast majority of the interest groups represented simply resented higher taxes on principle. So many complained so vehemently that the taxes would cripple their businesses that one exasperated congressman remarked that based on the day's testimony, the Committee had not found a single solvent sector of the economy.\textsuperscript{73}

One problem that was encountered during the Committee hearings was that many were reporting their stances on the original Fallon bill as opposed to the one which came out of bi-partisan committee negotiations. The differences between these two bills were

\textsuperscript{71}Ibid., 655.

\textsuperscript{72}Ibid., 656.

vast. For example, the original bill called for a tax increase of 45¢ per pound on large tires (that is, tires 8½" x 18" and up); the bill as reported afterwards reduced this tax to 10¢ per pound; the original bill also called for a 20¢ per pound tax on all retreaded large tires, which was later dropped to 7½¢ per pound.74 On July 13, the House Public Works Committee met in a closed executive session to vote on the administration proposal. As in the Senate, it was soundly defeated by a vote of 19-14.

On July 19, George Fallon introduced another road bill, HR 7474. This bill included moderate taxation provisions this time: a 1¢ per gallon tax on gasoline and a 2¢ per gallon increase in diesel fuel tax. Tire taxes were raised 10¢ per pound on tires larger than 8½" x 18" and only 3¢ on tires larger than 7½" x 18". Large tire inner-tube taxes were to be increased by 6¢ per pound. A new tax was added to camelback material (the rubber product used for retreading tires) at 15¢ per pound. The excise tax on trucks, tractor-trailers, and buses was raised to from 8 percent to 10 percent. Finally, tax exemptions were granted to supplies for vehicles not to be used on highways, like farm machinery and public transportation vehicles.75

The last step the bill had to go through before getting to the floor was to pass through the House Rules Committee. Generally, tax and other revenue bills coming from the House Ways and Means Committee are to be considered by the whole House under a closed rule, which means that they must be accepted by the House as presented, without amendments, or else be returned to the committee. The House Rules Committee, however, placed HR 7474 under a modified open rule: there would be three hours of general debate on all sections open to amendment except for section four, which

74 Ibid., 251-252.
75 Ibid., 255.
contained the finance provisions. Amendments to section four could come only from the House Public Works Committee.

Again, however, there were a number of bills which were up for vote as alternatives. Representative George Dondero (Republican, Michigan) proposed HR 7494, which was basically the administration's bill, as a substitute for Fallon's. Representative T. Ashton Thompson (Democrat, Louisiana) also threw in HR 7542 as a substitute bill with smaller appropriations of funds.76 Debate on the floor over the entire issue began on July 26, and centered around three basic positions: congressmen who defended Fallon's bill and taxes, congressmen who defended Dondero's bill and the administration's proposal to not raise taxes, and those who spoke in defense of the Thompson bill as a compromise. The Thompson bill was the first to go, losing by a vote of 178-89.77 Dondero's administration bill was considered the next day surrounded by a heated debate. However, in the end the bill was slimly rejected in a 184-178 vote. A later amendment to shrink all the numbers in the Fallon bill to the slimmer sizes proposed by Thompson was quickly defeated 115-55. An amendment that passed, however, was one which struck the provision in Fallon's bill to reimburse utility companies for moving out of the way of interstates. Republicans, though, had not given up on trying to include points in the bill that were reminiscent of the administration proposal. Representative Charles A. Halleck (Republican, Indiana) introduced an amendment that would add a bond-issuing highway corporation to the bill. This motion was rejected on a point of order. Yet it revealed that the Republicans were not prepared to support a bill which did not follow administration lines.78 As debate drew to a close,

76 Ibid., 257.
77 Ibid., 260.
78 Ibid., 261.
it became clearer that this was not a bill that was meant to be. Finally, the Fallon bill was defeated by a vote of 292-123 with 19 not voting.

At the close of this congressional session, it was clear that the representatives and senators had decisively defeated three different approaches to the problem of highway finance and construction. Many blamed the trucking and business interests; it was only natural to point the finger at big business and say that they were sabotaging a necessary reform program. Eisenhower and the administration, as we have noted, should be given a portion of the blame for the failure to pass legislation in 1955. As was noted above, Eisenhower was convinced that there was only one way to finance a highway program, his bond finance corporation. After the failure of bills, Eisenhower remarked at a news conference in August that although he "might accept some modification... what I want first of all is roads, and then a way to pay for it that will be acceptable and fair to the taxpayers." To Eisenhower, this meant not raising taxes. He wanted a road program, but as of yet was not prepared to ask people to pay for it. Furthermore, the administration had failed not only to draft a good road bill, but had allowed poor legislative form to cripple it. A *Time* magazine article from 1955 put it well by saying of the administration that "having made the bill's defeat a probability by the way they wrote it, the Republicans proceeded to make defeat a certainty by the way they handled it." The men in Congress, further, had not gone to any great lengths to pass a bill. They lined up behind their different proposals, and were unwilling to change them or abandon them for a winning piece of legislation.

The administration seemed to have learned a lesson from the defeat, or at least some had learned from it. In a memorandum from presidential advisor Noorbar

---

79 Public Papers of the Presidents of the United States, Dwight D. Eisenhower, 1955, 765.

Danielian to Eisenhower, dated August 16, 1955, Danielian wrote that for a highway bill to be successful, it must compromise on a wide range of issues, from utilities reimbursement to state authority to the position of the railroad interests. A successful bill, Danielian wrote, must avoid a Clay-style extra-governmental finance corporation; limit any tax increases; create a long-range plan covered by Congressional review; make some concessions to public utilities for relocation costs; pay prevailing wages to workers; and retain the old state-federal relationship in the non-interstate federal-aid system.81

* * *

Eisenhower's January, 1956 State of the Union Address again made a call for a road program. He emphasized the necessity for legislation which would provide the country with a modern and unified interstate system. He also emphasized that the urgency had increased, for twelve months had passed since the last attempt at legislation, in which time the nation's roads had deteriorated further, detrimental to "the general safety, the general prosperity, [and] the national security of the American people."82 Several days later, in his annual budget message to Congress, Eisenhower again reiterated that he was "confident that the expanded program can be soundly financed so as not to create budget deficits."83 Afterwards, presidential contender Adlai Stevenson criticized Eisenhower for lacking any kind of concrete information on how the roads were to be funded.84 Indeed, after the 1955 failure, Eisenhower and the administration would step out of the arena, and would be little involved in the passage of the 1956 act.

81 *The Eisenhower Administration: A Documentary History*, vol. 1, 549-551.

82 *Public Papers of the Presidents of the United States*, Dwight D. Eisenhower, 1955, 18.

83 Ibid., 140.

In the time between the failure of the 1955 highway bill and the proposal of a new one in 1956, rigidity of opinion and obstinacy had changed and shifted among most groups. The American public, of course, had always been ready for new roads. The failure of Congress to pass a bill in 1955 was further contrasted to the need for such legislation by a continued public advertising campaign by road-building interests aimed at alerting the public to the necessity of pushing action in Congress. The special interests were ready, as well. John V. Lawrence, influential president of the American Trucking Association, said that the trucking industry was willing to pay its fair share, as long as it was not discriminated against by having to bear unfair tax burdens. Even Eisenhower began to crack and by early February had given up on the idea of bond issues through an extra-governmental corporation, and gone over to the Democratic side of the issue, pledging bi-partisan work in Congress. He told advisors that it was time to "yield to Democratic insistence on financing." In his later memoirs he even admitted that "I had grown restless with quibbling over methods of financing. I wanted the job done." In many respects, Eisenhower was not atypical of opinion in general. Though most interest groups held the same values and wanted the same things out of a highway bill in 1956 as they had in 1955, they were also faced with necessity.

For one thing, the conditions had worsened. Every year, the volume of traffic was increasing and the quality of America's roads was decreasing. This was bad not only for the average motorist, but also for businesses that used the roads. Politicians in

---

85 See Figures 3 & 4, pages 61-62.
87 Ibid., February 1, 1956, 1:6.
Washington also did not want to have to return to their constituents for reelection after the 1956 session without a road bill and also having rejected a number of feasible plans. The nation was clearly suffering, and was demanding a road bill. Most importantly, however, the nation would be given a plan that was plausible. This plausible plan was what finally made all parties agree on a road bill: a solid compromise that was worked out in the chambers of the House and Senate to become the Interstate Highway Act of 1956, drafted by George Fallon and Hale Boggs (Democrat, Louisiana).

George Hyde Fallon, 53 years old and standing 6'2", was known as the "Big Man from Baltimore." Originally a businessman in his family's advertising sign company, Fallon had risen through the ranks of Baltimore's Democratic political machine. Fallon was a man without untoward ambitions, and was content as a congressman. Since he had entered Congress in 1945, Fallon had served on the Public Works Committee, and by 1956 was chairing the Subcommittee on Roads. So single-mindedly did Fallon pursue his interest in road-building that many came to believe that his middle initial stood for "Highways." But Fallon was always a fair man to his colleagues in Congress and especially to his constituents.\textsuperscript{90} Unfortunately for this dedicated and honesty public servant, he never received national recognition, even during the highway debate. His only time in the spotlight came in 1953, when he was shot in the leg by Puerto Rican nationalists assaulting Congress while in session. Fallon introduced what later would become the act of 1956, but this time left finance issues to the separate Ways and Means Committee under Hale Boggs. Boggs created what became Title II of the final entire bill.

Title I was reviewed by the House Subcommittee on Roads of the Committee on Public Works, and the hearings, described by Fallon, were to be kept "quasi-public."\textsuperscript{91}

\textsuperscript{90}Lewis, 116.

Secretary of Commerce Sinclair Weeks was the first to speak. Generally, he agreed with the Fallon bill. Weeks especially made a point of agreeing with the House proposal to allocate funds based on the actual estimated costs of road construction, rather than the old formula. However, he believed in a ten-year, rather than a thirteen-year construction plan. Finally, he disagreed with the House proposal to reimburse the states for roads which they had already completed on the interstate system. Specifically, he cited the fact that the President and the bill both called for the "completion" of an interstate network, not the "purchase" of one. Further, he said that the reimbursement procedure would throw off the allocation of funds to the states.92

Another important group to testify was the American Association of State Highway Officials, represented by Rex M. Whitton, the president of the organization. The AASHO also advocated an allocation to the states based on the actual cost of completion. Though they agreed with reimbursement for state roads in principle, they believed that first money should be used to construct the remaining roads and then for reimbursement. They also supported the attachment of a provision to limit the sizes and weights of vehicles allowed to use the interstates. Whatever doubts they had, however, it was clear that the nation needed a highway bill and that the AASHO would support this one. Whitton told the Committee point-blank that though he offered some "constructive criticism," the AASHO was certainly "for it 1000 percent. It is the finest bill that has ever been written to date and we sincerely hope it passes."93

Interestingly, it appears that an attempt was made to bring up the urban aspects and issues of highway building and finance during the Committee hearings. Ben West, the Mayor of Nashville, spoke on behalf of the American Municipal Association. He

92 Ibid., 10-36.
93 Ibid., 74-122.
explained that rapidly cities were coming to the end of the line as far as solutions for alleviating traffic problems. He said that "the needs of our cities for adequate highways has reached a crisis." Traffic saturation had almost reached a breaking point, and though not completely satisfied with Fallon's bill, on behalf of the AMA he was in support of it. One thing he suggested was the later provision for an urban division of state and federal highway departments, and the need for a more closely defined place for municipalities in the tight county-state-federal road-establishment hierarchy.\textsuperscript{94}

The only issue that got particularly heated during the hearings was the one over a provision calling for the payment of prevailing wages to workers on interstate highway projects. This was known as the Davis-Bacon clause (to be discussed in more detail later). Wages of workers would be determined by the federal government. Predictably, when George Riley appeared with Robert Connerton of the Building and Common Laborers Union of America, on behalf of the AFL-CIO, the two supported a Davis-Bacon clause. However, Congressman Bruce Alger (Republican, Texas) did not believe there was a need for this clause. He went so far as to say, in true Cold War style, that "if the Socialists and Communists in this country ever wanted really to close us out as a nation, how would they do it? They would get rid of 48 entities [the state highway departments] and put them in Washington, and then move in on Washington." This statement, of course, was little grounded in reality, and Connerton rightly struck back at Alger by telling him that "the very worst labor laws that exist in this entire country, and which would actually drive us back into slavery, exist in Texas now."\textsuperscript{95} Despite all of this venom, however, the Subcommittee, on March 21, unanimously approved the Fallon bill, 17-0.\textsuperscript{96}

\textsuperscript{94}\textit{Ibid.}, 122-128.

\textsuperscript{95}\textit{Ibid.}, 338.

At about the same time, the House Committee on Ways and Means took up HR 9075, Boggs' financial provisions. The primary issue that was brought up again and again in the hearings was who should have to pay the new highway taxes. A number of congressmen and private citizens pleaded for exemptions for vehicles like logging and agricultural machinery which would never be used on the interstates. Most numerous, however, were pleas from various types of urban transport companies. The National Association of Motor Bus Operators testified that HR 9075 would have a very severe impact on the already precarious financial situation of intercity transport operators.97 Robert DeCamp, owner of DeCamp Bus Lines and president of the New Jersey Bus Association registered similar complaints (though he must have been wrong, as the DeCamp Bus Line still operates today).98 A number of representatives of taxicab associations also complained of the taxes that would be levied on vehicles which would never use the interstate systems.99 Many of these complaints over taxation centered around the issues of small-businesses. Many smaller road-transportation businesses were in less than perfect financial shape. The owners and representatives of these businesses were worried that extra taxes would put them all out of business. The complaints were all similar to those of the 1955 bill hearings.

Issues dealing with the trucking industry also took center stage during the Ways and Means Committee hearings. The trucking industry, represented during the hearings by the American Trucking Association, was willing to pay taxes and give its "unhesitating and unequivocal support to HR 9075."100 However, it was unwilling to support alternative forms of taxation. For example, the trucking industry was not willing

---

97 Committee on Ways and Means, *Hearings on Highway Finance: HR 9075*, 100-102.


100 *Ibid.*, 79.
to pay for ton-mile taxation, which was a tax on vehicles based on how much they weighed and for how many miles they traveled. This, they said, ignored such engineering fundamentals as how the weight was loaded and what the road surface and thickness were like.\textsuperscript{101} The American Automobile Association, however, took odds with this, believing that trucks should be made to foot more of the bill for the new highways than the average motorist.\textsuperscript{102}

Finally, on February 23, after hearing testimony from all sorts of organizations - from the Department of the Treasury to the International Association of Ice Cream Manufacturers - the House Ways and Means Committee approved the finance measure. According to estimates, all these new taxes would mean only about an extra $6 a year in taxes for the average motorist.\textsuperscript{103}

At a press conference on April 25, the day before debate opened on the bill on the House floor, Eisenhower indicated that though he still supported his own proposal, he was aware of the need for compromise, and was willing to take the step. He told reporters that "I have learned that a bill that comes out of Congress often bears little resemblance to the way it went in. But I still stick to this one thing: we need highways badly, very badly, and I am in favor of any forward, constructive step in this field."\textsuperscript{104} The administration was ready to accept any reasonable highway bill, but would Congress?

The House Rules Committee had determined that when debate opened on the bill, there would be three hours of open rule debate on Titles I and III to be directed by the

\textsuperscript{101}Ibid., 81-84.

\textsuperscript{102}Ibid., 451-454.

\textsuperscript{103}New York Times, February 24, 1956, 16:6.

\textsuperscript{104}Public Papers of the Presidents of the United States, Dwight D. Eisenhower, 1955, 88.
Public Works Committee. Title II, the financial provisions, was to be discussed for two hours under a closed rule to be directed by the Ways and Means Committee.

After a few opening statements, Congressman Fallon made a section-by-section summary of HR 10660. Title I of the bill began by re-affirming the government's intent to continue giving money to the old federal-aid system, but with plans to add $25 million a year more for the next ten years. Federal domain roads (forest highways and development roads, park roads, public land roads, Indian highways) would all receive increased federal funding of several million dollars a piece. Also, the emergency fund would be increased from $10 million to $30 million. Then came the meat of the bill. It would establish the new National System of Interstate and Defense Highways, authorizing $24,825,000,000 for a thirteen-year period ending on June 30, 1969. The money would be apportioned not by the traditional formula, but rather by a study prepared by the Secretary of Commerce, which would give states money based on how much it would actually cost them to build their highways. The matching of funds would be 90 percent from the federal government and 10 percent from the states. Maximum axle weights for vehicles using the roads were also established. Congress was required by the bill to reimburse states for portions of interstates already built by them to federal standards. Rights-of-way were to be acquired by the federal government with federal money. Importantly, Davis-Bacon prevailing wages, as determined by the federal Secretary of Labor, would have to be paid to the workers on the project. When utilities had to be relocated in places where the state government had laws requiring they pay part of the costs of relocation, the federal government was to pay the locally-established share of relocation. Access to the Interstates was to be controlled and the federal government was to make sure of that. Finally, portions of toll-roads already built to standard could be incorporated into the system to prevent wasteful duplication of roads and protect
investments already made. But it was re-affirmed that federal-aid highways were to be free for users. Title III, the other half of Fallon's bill, was simply a provision linking Title II (Boggs' finance provisions) with the other two sections, requiring they all be passed or rejected together.

Debate was surprisingly tame on the bill, with most supporting the need for a program, and supporting this one as a good compromise. Congressman Gordon H. Scherer (Republican, Ohio) said it well when he stated that "the controversy that existed last year on the floor of this house with reference to some of the major provisions of the bill, which provisions actually did prevent us getting a bill, have now been resolved by all interests concerned." Many of course still had objections to the bill. Congressman Tom Steed (Democrat, Oklahoma) admitted that "we have not drafted a perfect bill" and that he was sure that some revisions and amendments could be made over the upcoming years. Representative John J. Dempsey (Democrat, New Mexico) reiterated this idea and Congressman J. Harry McGregor (Republican, Ohio) expressed it when he said that "this bill is not perfect but I think the general public wants a highway bill." By the close of debate, most Congressmen, it seemed, felt the same way. Harold Ostertag (Republican, New York) said that "I am not in complete agreement with some provisions of this legislation but the good features in my opinion outweigh the bad." Congressman Philip J. Philbin (Democrat, Minnesota) told the House that "I am not entirely satisfied with this bill, but, because of its great importance to the Nation, the

105 Congress, Congressional Record, vol. 102, part 5, 7117.

106 Ibid., 7119.

107 Ibid.

108 Ibid., 7122.

109 Congress, Congressional Record, vol. 102, part 6, 7217.
States, and the American people, I am constrained to give it my solid support."\textsuperscript{110} It was time to compromise to give the public what it wanted and the nation what it needed. The American people, furthermore, were not going to tolerate any more delays before they got the essential new highways. Just before voting on the bill, Representative Fred Marshall (Democrat, Minnesota) put the question in simple terms that showed the Congress what it must do: "the cardinal question we must consider during our debate on this bill is whether we want a highway bill with deficiencies and questionable features, or whether we will once more tell the American people that there will be no road program of any kind. The latter alternative is entirely unacceptable."\textsuperscript{111}

Defense issues were stressed from the beginning, and Representative Gardner R. Winthrop (Republican, Wisconsin) said at the beginnings of debate that "the capacities of the interstate highways to evacuate urban populations in an emergency is of the utmost importance."\textsuperscript{112} The threat of atomic attack from the Communist nations loomed large over the heads of everyone during the period, and the interstate highway system was viewed by many as just one more essential element to the defense of our country.

There was, of course, some opposition. Representative Alger objected to the massive size of the bill, which would magnify even the smallest defects to a massive scale and project them across the entire nation. Furthermore, he objected to federal interference in an area which he saw as belonging to the authority of the states. The Davis-Bacon wage provisions proved to be especially troublesome for him, as they had been in the earlier committee hearings.\textsuperscript{113} He even went so far as to accuse labor organizations and others of fabricating information to give in testimony to the various

\textsuperscript{110}Ibid., 7219.
\textsuperscript{111}Ibid., 7220.
\textsuperscript{112}Congress, \textit{Congressional Record}, vol. 102, part 5, 7114.
\textsuperscript{113}Ibid., 7143.
committees. Throughout debate on the bill, Alger, hostile towards organized labor, constantly alluded to some sort of labor-backed national conspiracy.

An interesting objection was registered by Representative E. L. Bartlett, a non-voting member representing Alaska, not yet a state in 1956. Bartlett vehemently objected to an act which would raise taxes that Alaskans would have to pay, but not actually build interstates in Alaska. Hawaii and Puerto Rico (which had been brought into the federal-aid system in 1924 and 1936 respectively\(^{114}\)) would get benefits, he noted, but not Alaska. The state had never received its fair share of road money, and needed it more than many other states in the union, whose roads were in better shape.\(^{115}\) In 1956, Alaska had only 3,700 miles of roads that could be considered highways, and of those only 800 miles were remotely resembled being paved.\(^{116}\) It also was noted, true to the Cold War surroundings, that Alaska was the part of the United States closest to the Soviet Union. If the Interstate System was to be also a defense highway system, it must incorporate Alaska.\(^{117}\) During the Senate debates on the bill, Senator Richard L. Neuberger (Democrat, Oregon) presented an amendment which would include Alaska in the interstate-aid system along the same footing as Hawaii and Puerto Rico. It was agreed in the amendment as passed, however, that only 1/3 of the total area of Alaska would be used to determine how much federal money it got, so as to prevent it from being awarded a disproportionate share.\(^{118}\)


\(^{115}\)Congress, \textit{Congressional Record}, vol. 102, part 5, 7137.

\(^{116}\)Congress, \textit{Congressional Record}, vol. 102, part 7, 9205.

\(^{117}\)\textit{Ibid.}, 9109.

\(^{118}\)\textit{Ibid.}, 9204-9207.
Support additionally was registered from outside elements. Letters were submitted from the American Trucking Association president John V. Lawrence in support of the axle weight limitations in section 108, 7(j), which denied federal road money to states which allowed excessive axle loads on their roads. This provision, in the words of Representative McGregor, did not deny any vehicle a right which it currently enjoyed, but rather insured "that highway facilities to be constructed... shall serve out their economic life and not be prematurely destroyed by excessive loads." The common sense of the matter and the support of the trucking industry itself did not sway some representatives, like Representative Charles A. Vanik (Democrat, Ohio), from opposing the provision, mainly because it was felt that the issue impinged upon the rights of the states to regulate their own roadways.

The most contentious issue of the debate was the Davis-Bacon provision for the payment of locally prevailing wages as determined by the federal government. Representative George A. Dondero (Republican, Michigan) offered an amendment to the bill which changed the provision so that the locally prevailing wages would be fixed by the state authorities, rather than the federal government. He said that this was more accurately a status-quo amendment, as most states were already determining the wages of their highway workers. Representative Alger supported the amendment on the grounds that it helped to support states' rights, and that the federal appointment of wages replaced collective bargaining and negotiation with federal mandate. Alger later unsuccessfully tried to add an amendment which would allow appeals to the court regarding the wages set, but it was ruled out of order by the Speaker on the grounds that

119Congress, Congressional Record, vol. 102, part 5, 7122.
120Ibid., 7130.
121Congress, Congressional Record, vol. 102, part 6, 7185.
it was amending the Davis-Bacon Act, rather than the bill at hand which merely included it.\textsuperscript{122}

Most Congressmen who spoke objected to Dondero's amendment and supported the fixing of wages by the federal government. The provision, it was true, had been placed in the bill by an 18-9 vote in the Public Works Committee. Representative Frank E. Smith (Democrat, Mississippi) took an interesting position for a Southern Democrat when he opposed what seemed like a states' rights measure on the grounds that many states that did not have agencies to determine wages would have to set them up at considerable expense and time. Furthermore, he believed that this precedent would force other industries to have their wages fixed, disrupting the free marketplace.\textsuperscript{123} Other Congressmen, like Representative John A. Blatnik (Democrat, Minnesota), echoed this sentiment by bringing up the fact that only 15 of the 48 states had prevailing wage laws enforced by their state authorities; what would the other 33 states do to determine wages in time? Furthermore, delays would be caused as courts and bureaucracies wrangled over the level at which the wage would be set.\textsuperscript{124} But the main objection to the amendment was on the grounds that it was unnecessary. The provision had worked fine since 1931 when it was introduced, and there had never really been any substantial complaints. Six or seven different federal acts had been passed with a Davis-Bacon provision, and there had been no major problems with any of them. If the government could fix wages on projects that were federal contracts, why not ones which were 90 percent paid for by the federal government? In a practical sense, Congressman Albert W. Cretella (Republican, Connecticut) objected to the amendment because it had taken so long to get the bill into

\textsuperscript{122}\textit{Ibid.}, 7206.

\textsuperscript{123}\textit{Ibid.}, 7186-7187.

\textsuperscript{124}\textit{Ibid.}, 7193.
Congress, that it would be foolish to jeopardize it with this change. The debate changed tone, however, when Representative John E. Fogarty (Democrat, Rhode Island) forced the issue by saying that the question on the amendment was "whether or not we are going to repeal the Davis-Bacon Act." Furthermore, he reminded the House that the act had been passed by Republicans in 1931 during a Republican administration, which he likened to the present one. All of this, of course, was not true. The amendment and the debate were not over whether or not the prevailing wages should be determined and paid, but rather by whom they would be determined. The tactic, however, seemed to work, and debate quickly turned to focus not on the amendment, but rather to a general defense of Davis-Bacon act itself. Once time had finally run out on debate, though, Dondero's amendment was rejected by a vote of 77-192.

The issue of utility relocation costs spurred a great deal of contention as well. One early amendment that was agreed to quickly was one which provided that reimbursement would not be made for utilities relocation in states that did not already have such laws. The House was reminded that in its report the Committee on Public Works had said that "there is no requirement in this section, either express or implied, that a state must pay all or any part of utility relocation costs." Rather, this just provided that the federal government would chip in its fair share if a state incurred relocation costs building the interstates, as per their standing laws. Furthermore, it was emphasized that "federal funds shall not be apportioned under this section when the payment to a utility violates the law of the State or violates a local contract between the

125 Ibid.
126 Ibid., 7196.
127 Ibid., 7184.
128 Ibid., 7207.
utility and the state."\textsuperscript{129} Representative John F. Baldwin Jr. (Republican, California), however, offered an amendment to change this provision so that the federal government could never be required to pay more than 50 percent of the costs of relocation. The idea was that this would protect the federal government and take pressure off the state legislatures, which would be pressured by utilities companies to raise the percentage of reimbursement in their states.\textsuperscript{130} The supporters of the measure said mainly that it was fair to the companies on the one hand, and did not create any new practices, but rather provided for federal continuation of state ones where applicable. The interests of the average consumer also were at stake here. Letters submitted from the National Association of Railroad and Utilities Commissioners and an editorial from \textit{Telephone Engineer and Management} magazine both testified to the fact that if utilities in states with reimbursement laws had to relocate without financial support, the costs of relocation would have to be borne by the consumer, already paying taxes for the highway package.\textsuperscript{131} Opponents of the provision also noted that utilities companies could be able to make money from relocation at the expense of the federal government, and furthermore, it was not fair to make taxpayers from all over the United States pay for local utility costs, when their states might not even have a provision like that.\textsuperscript{132} The amendment, predictably, was rejected.

There were also a number of other interesting small amendments. One introduced by Representative Abraham J. Multer (Democrat, New York), called for inclusion of a passage expressing the intent for the contractors hired in building the roads

\textsuperscript{129} Ibid., 7208.
\textsuperscript{130} Ibid., 7207.
\textsuperscript{131} Ibid., 7208-7209.
\textsuperscript{132} Congress, \textit{Congressional Record}, vol. 102, part 5, 7132.
to hire "a fair proportion" of small businesses.\textsuperscript{133} It was mainly a declaration of intent and an expression of policy that it was hoped the states would follow. The amendment was included. Another amendment was offered by Speaker of the House Sam Rayburn of Texas. Rayburn's amendment changed the hierarchy, so that federal departments involved in the highway process would answer directly to Congress, where they would be directed to the appropriate congressional committees, rather than directly to the committees themselves. The amendment was agreed to.\textsuperscript{134}

Finally, on April 27 the Fallon-Boggs bill passed by a vote of 388-19.\textsuperscript{135} Of the 19 members opposing the measure, 15 were hard-line Southern Democrats who opposed the bill mainly on states' rights issues, objections to new taxes, and the inclusion of Davis-Bacon provisions. The other four against the bill were Republicans from all over the country.

On May 28 the bill was taken up on the Senate floor after having passed through the Senate Finance and Public Works committees. The bill as presented to the Senate was revised from HR 10660, the committees having amended both Title I and Title II before passing it to the general session. As Senator Gore explained, there were five main differences between the two bills. For one thing, the Senate bill called for a larger amount of aid. Second, the Senate bill added 2,500 miles more of interstate. Third, the apportionment systems were different for giving money to the states. Under the House plan, a new system was devised, where apportionments would be based on estimates of the actual cost of construction from the states in ratio to the total cost of construction nationwide. The Senate plan, on the other hand, followed the old apportionment system, whereby states were given money based on 2/3 population, 1/6 mileage, and 1/6 area of

\textsuperscript{133}\textit{Congress, Congressional Record}, vol. 102, part 6, 7211.

\textsuperscript{134}\textit{Ibid.}, 7212.

\textsuperscript{135}\textit{Ibid.}, 7221.
the state as a proportion to the rest of the Union. Fourth, the Senate bill contained no Davis-Bacon prevailing wage provision. Finally, the Senate bill set up very specific weight and size restrictions for vehicles using the interstates as opposed to just the axle weights in the House bill.\footnote{Congress, \textit{Congressional Record}, vol. 102, part 7, 9099.}

One of the most contentious items for debate in the Senate was the issue of how to allocate funds: whether to use the old system as in the Senate bill or the new one devised by the House. Senator Gore opposed the House measure as being based around "just guesses." He said that "we must not start the distribution of $25 billion in such a haphazard manner. So vast a sum must be subject to a legal formula." \footnote{\textit{New York Times}, May 27, 1956, 52:3.} The supporters of the Senate allocations system pointed to its success in the past. There had been no complaints or major problems yet, so why, in the words of Senator Robert S. Kerr (Democrat, Oklahoma), "substitute a grab-bag for a carefully worked out formula." \footnote{Congress, \textit{Congressional Record}, vol. 102, part 7, 9080.} Furthermore, when the 1954 road bill was passed, the old apportionment formula was agreed upon again. Senator Case put it uniquely when he said that when the state committees begin to assemble their data "each had his own idea of how much cake he wanted, and some of them put frosting on it." \footnote{\textit{New York Times}, May 27, 1956, 52:3.}

The supporters of the House proposal were insecure about the estimates made by the states, and were often forced to defend them. One thing they reminded their colleagues of was that money would not simply be given to states for construction, but rather reimbursed to them. The Senate committee report had said that the funds authorized "are not to be advanced to the states to construct the highways, but that such

---

\footnote{\textit{New York Times}, May 27, 1956, 52:3.}
funds are to be used to reimburse the states for the work that has been performed."\textsuperscript{140} Others, responding to the argument that the old system had worked fine for years, pointed out that this was to be a totally new and unprecedented building program, and that it warranted a different way of dealing out funds. Finally, Senator Homer Capehart (Republican, Indiana) offered an amendment which would replace the Senate apportionment formula with the House one. This amendment, however, was soundly defeated by a vote of 27-55 (13 not voting), and the issue was laid to rest there.\textsuperscript{141}

As in the House, the Davis-Bacon issue attracted much debate. In the Senate, however, the issue was different. Rather than debating who should set prevailing wages under Davis-Bacon, the Senate was debating whether to add it in at all, the Public Works Committee having taken it out. At the very beginning of debate, Senator Dennis Chavez (Democrat, New Mexico) sponsored an amendment (with a number of co-sponsors, among them future President of the United States John F. Kennedy) that would add in a Davis-Bacon provision with wages fixed by the federal government.\textsuperscript{142}

The first main opposition to the amendment, predictably, was led by Senator Byrd of Virginia on the second day of debate, May 29. Byrd argued that adding in a prevailing wage provision would add money to the total costs of construction, throwing all of the numbers out of balance. The financial bottom line, to Byrd, was that to include Davis-Bacon would mean to either curtail government programs or to raise taxes to balance the numbers. He also disliked the fact that it would place too much power in the hands of the federal government. He argued it would slow down work and increase costs across the board. Also, he felt that it would disrupt local wage scales across the nation.\textsuperscript{143}

\textsuperscript{140}Congress, \textit{Congressional Record}, vol. 102, part 7, 9078.
\textsuperscript{141}\textit{Ibid.}, 9203.
\textsuperscript{142}\textit{Ibid.}, 9068.
\textsuperscript{143}\textit{Ibid.}, 9156.
Senator Barry Goldwater (Republican, Arizona) wondered how long it would be before the government was fixing wages for all kinds of work across the nation. He also wondered where the protection of the courts and the process of appeals of executive decisions were.\textsuperscript{144} A more complete argument against Davis-Bacon was given by Senator Knowland (Republican, California). Knowland argued that the states were the ones who would oversee construction and award contracts and so have the primary responsibility for the project; the federal government would be encroaching too much into the states; the states were better capable of determining wages in themselves; the federal government had in the past tended to follow urban wage structures in setting prevailing wages, rather than the rural ones where most of the highway work will be done; there would be a difference between interstate and other federal-aid road construction wages; there was no judicial review or appeals process once wages were set; the federal government would have to be given new enforcement powers; delays and red-tape would be inevitable; and it would be too much for the federal government to work out all the locally prevailing wages for all the different areas of the United States.\textsuperscript{145} Knowland, therefore, offered an amendment to the original House bill (HR 10660 as handed over by the House, as opposed to the amended Senate bill that came out of the Public Works Committee). It was amended to the House bill because Senator Chavez, presenter of the revised/amended Senate bill, would not allow it to be attached to the Senate amendment. Knowland's provision was that prevailing wages would be set, but they would be set by the states independently.\textsuperscript{146} Knowland theorized that the spirit of the entire legislation was to allow the states as much freedom and power as possible, so why should the federal government enter into it setting wages? When it came down to a

\textsuperscript{144}\textit{Ibid.}, 9165.

\textsuperscript{145}\textit{Ibid.}, 9167.

\textsuperscript{146}\textit{Ibid.}, 9171.
vote, Knowland's amendment tied at 39-39 with 17 not voting. It then fell upon Vice President Nixon to break the tie, and he cast his vote in favor of the amendment, allowing it to pass.\textsuperscript{147}

There were many Senators, of course, who supported the inclusion of a Davis-Bacon provision. As in the House, they argued that when the federal government was paying 90 percent of the bill, in the words of Senator Paul Douglas (Democrat, Illinois), "to say the states, which are to pay only 10 percent of the cost, are to determine what the wages shall be is, I think, letting the tail wag the dog."\textsuperscript{148} Douglas also worried about union wages being undercut in many areas because the states mandated a lower scale.\textsuperscript{149} Senator Thomas H. Kuchel (Republican, California) supported the provision and bluntly said that "the issue is, do we want to provide for prevailing wages...? Or do we want to permit undercutting and underbidding by those who are wont to undercut and underbid in order to get work?"\textsuperscript{150} Senator Herbert H. Lehman (Democrat, New York) worried, as had members of the House, that great delays would be incurred as many states worked to establish apparatuses for determining and enforcing wages.\textsuperscript{151} Senator Hubert Humphrey (Democrat, Minnesota) called attention to the fact that "the people of the State of Illinois and the State of Minnesota will be paying taxes, and I think they have a right to expect that these taxes will not depress wages."\textsuperscript{152} When time ran out on the

\textsuperscript{147}\textit{Ibid.}, 9178.
\textsuperscript{148}\textit{Ibid.}, 9162.
\textsuperscript{149}\textit{Ibid.}, 9175.
\textsuperscript{150}\textit{Ibid.}, 9174.
\textsuperscript{151}\textit{Ibid.}, 9175.
\textsuperscript{152}\textit{Ibid.}, 9180.
amendment, a vote was finally called. Chavez's Davis-Bacon provision passed by a vote of 42-37 with 16 not voting.\textsuperscript{153}

A point of explanation is necessary here, as the two amendments mentioned above (Chavez's and Knowland's) seem to contradict one another. In fact, they do, but technically they were part of two different bills. Chavez's amendment was actually an amendment to another amendment. This other amendment was the Gore bill, which the Senate Public Works Committee had put en bloc over Title I of the Fallon bill and then presented to the Senate. Knowland had originally wanted his amendment to be part of the new Gore bill/amendment, but since it was technically not his, he had to tack it onto the old HR 10660. Of course this was a confusing situation for the senators themselves. As the debate drew to a close late on the night of May 29th, a great deal of confusion was expressed by senators raising points of parliamentary inquiry as to what Davis-Bacon provisions they were actually voting on. The president pro tempore's answer was unsatisfying and confusing as well: they were voting on both amendments and both bills. Many simply shrugged it off, acknowledging that the whole thing would go to conference and be worked out anyway.

Another issue discussed was reimbursement to the states for roads already built according to federal standards that could become part of the interstate system. Senator Prescott Bush (Republican, Connecticut) introduced an amendment to provide for such reimbursement.\textsuperscript{154} Part of the reason for this incorporation of structures into the interstate system was to allow federal funds to be used to build access ramps and other facilities in and around these structures.\textsuperscript{155} Gore spoke out against the amendment since the idea had been dealt with in committee already. For one thing the question of

\textsuperscript{153}Ibid., 9182.
\textsuperscript{154}Ibid., 9209.
\textsuperscript{155}Ibid., 9213.
amendment, a vote was finally called. Chavez's Davis-Bacon provision passed by a vote of 42-37 with 16 not voting.\textsuperscript{153}

A point of explanation is necessary here, as the two amendments mentioned above (Chavez's and Knowland's) seem to contradict one another. In fact, they do, but technically they were part of two different bills. Chavez's amendment was actually an amendment to another amendment. This other amendment was the Gore bill, which the Senate Public Works Committee had put en bloc over Title I of the Fallon bill and then presented to the Senate. Knowland had originally wanted his amendment to be part of the new Gore bill/amendment, but since it was technically not his, he had to tack it onto the old HR 10660. Of course this was a confusing situation for the senators themselves. As the debate drew to a close late on the night of May 29th, a great deal of confusion was expressed by senators raising points of parliamentary inquiry as to what Davis-Bacon provisions they were actually voting on. The president pro tempore's answer was unsatisfying and confusing as well: they were voting on both amendments and both bills. Many simply shrugged it off, acknowledging that the whole thing would go to conference and be worked out anyway.

Another issue discussed was reimbursement to the states for roads already built according to federal standards that could become part of the interstate system. Senator Prescott Bush (Republican, Connecticut) introduced an amendment to provide for such reimbursement.\textsuperscript{154} Part of the reason for this incorporation of structures into the interstate system was to allow federal funds to be used to build access ramps and other facilities in and around these structures.\textsuperscript{155} Gore spoke out against the amendment since the idea had been dealt with in committee already. For one thing the question of

\textsuperscript{153}Ibid., 9182.

\textsuperscript{154}Ibid., 9209.

\textsuperscript{155}Ibid., 9213.
reimbursement was just too great to deal with, and raised too many other issues. Further, allowing for the addition of many new bypasses, ramps, etc. would add to the total of interstate mileage.\textsuperscript{156} Eventually, it was decided that the states were not to be reimbursed, but pre-existing structures were to be incorporated into the general interstate system.

It is interesting to note that in the Senate, as opposed to the House, the issues associated with urban highway and transportation problems were dealt with. Senator Gore seemed to recognize the place that cities were playing in road needs. He acknowledged that the constructing of highways only around cities but not through them, "creates a greater need for federal aid to urban highways, which I do not think the provisions of the House bill at all recognize or could possibly meet. I have some doubt that the provisions of the Senate committee bill are adequate in that regard."\textsuperscript{157} A figure was cited to the Senate Finance Committee that of the total money to be placed in the trust fund, about 55 per cent would end up going to pay for urban work.\textsuperscript{158} Senator J. Glenn Beall (Republican, Maryland) presented a letter from Mayor Thomas D'Alesandro of Baltimore citing the need for urban expressways and interstate miles.\textsuperscript{159} An amendment was passed which allowed urban governments to have the right to use the rights of way above or below the interstates as parking or other facilities, as long as they did not interfere with traffic patterns on the expressways themselves.\textsuperscript{160} Later on in debates, Senator Lehman tried to include an amendment that was rejected, calling for the inclusion in the definition of "construction," the costs of relocating tenants who were

\textsuperscript{156}Ibid., 9214.
\textsuperscript{157}Ibid., 9091.
\textsuperscript{158}Ibid.
\textsuperscript{159}Ibid., 9115.
\textsuperscript{160}Ibid., 9209.
dislocated as a part of construction.\textsuperscript{161} It is clear that many of the members of the Senate had at least a grasp of the problems associated with the urban link in the interstate chain. However, as the reaction of their colleagues proves, most were still not interested in hearing about it.

Besides the main issues of debate already mentioned, there were a substantial number of smaller amendments that were agreed to or rejected; more so than in the House. As for utilities, Senator Lehman included an amendment which, like the House bill, would provide for federal reimbursement of utilities in states where such laws already existed. This would be especially important to small, local utilities companies who would count on that money to help them move.\textsuperscript{162} An amendment by Senator Margaret Chase Smith (Republican, Maine) called for the safety report which had been rejected in the House.\textsuperscript{163} Some of the figures also were toyed with. Senator Carl Hayden (Democrat, Arizona) managed to get the amount for Indian reservation roads raised from $10 million to $12.5 million mainly because it would cost $2.5 million a year just to maintain the roads; the increase would ensure that these road builders would have a full $10 million at their disposal.\textsuperscript{164} An amendment also was agreed on to prevent the construction of facilities in the federal rights-of-way, thus keeping the interstates limited access.\textsuperscript{165} An interesting amendment was passed calling for funds to be made available for any archaeological investigations which might be turned up during construction.\textsuperscript{166} Finally, Kerr's amendment was accepted to precisely dictate not just maximum axle

\textsuperscript{161}Ibid., 9228.
\textsuperscript{162}Ibid., 9219-9220.
\textsuperscript{163}Ibid., 9182.
\textsuperscript{164}Ibid., 9187.
\textsuperscript{165}Ibid., 9207.
\textsuperscript{166}Ibid., 9218.
weights, but also sizes and dimensions of vehicles authorized to use the highways, though granting exceptions to such states which already had law allowing such heavy carriers.\textsuperscript{167} The main result of all these small amendments was that in many ways the Senate bill came to more and more resemble the House one.

The final issue addressed by the Senate occurred late in the night, and this was the finance provision. Title II of the bill incurred the least amount of debate. Senator Byrd, chairman of the Senate Finance Committee, explained the provisions. Between 1956 and 1972 about $14.518 billion would be raised. There would be a 1¢ increase in the current 2¢ fuel tax. There would be a 3¢ increase on the current 5¢ tire tax and a new 3¢ tax on camelback material, used to retread tires. The manufacturer's excise tax on new vehicles was raised from 8 percent to 10 percent. Furthermore, a new annual use tax was place at $2.50 each for every 1,000 pounds on vehicles exceeding 26,000 pounds.\textsuperscript{168} A number of exemptions were discussed, among them one suggested by Senator Warren G. Magnuson (Democrat, Washington), who got an amendment to exempt vehicles, like logging equipment, used only on private roads.\textsuperscript{169} Beyond, this, there was very little discussion of Title II.

By this time in the debates it was late and the Senators were prepared to finish the business. A number had left to go back to their home states. At one point, Senator J. W. Fulbright (Democrat, Arkansas) attempted to place a completely unrelated tax measure into the bill as an amendment, though after he had used up his time it was thrown out on a point of order.\textsuperscript{170} Senator Pat McNamara (Democrat, Michigan) attempted to replace the entire text of the Gore bill with the text of the House bill, though this of course was

\textsuperscript{167}Ibid., 9221.
\textsuperscript{168}Ibid., 9234.
\textsuperscript{169}Ibid., 9237.
\textsuperscript{170}Ibid., 9242-9246.
rejected as it would have negated days and days of work and debate.\textsuperscript{171} After midnight, the issue finally came to a vote. Though, as at the end of the debate in the House, many were unsatisfied, there was still the realization that whatever was passed would go into conference with the House and come out different anyway. Senator Wayne Morse (Democrat, Oregon) relied on his "confidence in our conferees to discuss this matter... rather than at this late hour attempt to engage in debate on a series of amendments dealing with tax problems."\textsuperscript{172} Finally, the bill was agreed to by a voice vote, though it seemed from the number of parliamentary inquiries and the late hour that few knew what they were voting on. Rather, they probably rested on the fact that everything would be worked out in conference. At any rate, they had passed something to tell the voters back home about, and they would not have to worry about it again for a few days.

Gore said that "I confidently expect when we go to conference, we can merge my bill and the Fallon bill [House bill] into a highway measure that will be on the president's desk well before July 1."\textsuperscript{173} Editorials lauded the bill. In the \textit{New York Times}, an editor wrote that "the sense of fiscal responsibility shown by matching taxation with spending" was admirable and appreciated. Furthermore, the writer wrote that it was refreshing after 1955's "dismal display of Congressional timidity and politics."\textsuperscript{174} It is interesting to note his comments on the 1955 legislation. It was not so much timidity and politics which defeated the first bill, but rather pigheadedness and unwillingness to compromise and behave like politicians. Conversely, the 1956 bills were successful because of a willingness by all sides to "play" the political game.

\begin{flushright}
\textsuperscript{171}\textit{Ibid.}, 9247.
\textsuperscript{172}\textit{Ibid.}, 9248.
\textsuperscript{173}Lewis, 120.
\end{flushright}
On June 20, the joint Senate-House Committee reached an agreement, and the conference bill was reported and agreed to by both houses on June 26. The conference bill retained many of the original provisions of Fallon's bill. Title I called for a continuance and expansion of intrastate roadways (the old primary and secondary federal-aid system). The final bill authorized $25 billion in expenditures over a period of 13 years to construct 41,000 miles of modern limited-access interstate roadways, as well as $448 million for federal park, reservation, and other roads. Federal funds were authorized to be used for the construction and maintenance of farm to market roads. The states, further, were permitted to transfer 20 percent of their federal allotments between the non-interstate federal-aid roadway categories. As far as the much-contested issue of appropriations went, for the first three years (1957-1959) the Senate apportionment formula was to be used, and for the last ten years the House formula would be used, based on estimates from the states of how much it would cost to complete their sections in relation to how much it would cost to complete the rest of the entire system. Again, the federal government would be paying 90 percent of the cost of construction. The House also agreed to the Senate proposal for strict size and weight restrictions for vehicles using the interstates. The total mileage for the interstates was now set at 41,000 miles, a midpoint between the Senate and House bills. The difficult issue of utilities was decided along the House bill lines, so that the federal government would assume its fair share of relocation costs in states where such laws existed. States which had already completed portions of the interstate to federal standards were not to be reimbursed, though there was a provision that the government would look into it seriously. Davis-Bacon was added along federal lines, and prevailing wages were to be determined by the Department of Commerce and Secretary of Labor working closely and seriously with state officials. Public hearings were to be held in every town that would be in the path of the interstates but bypassed by them. Finally, Title I provided for a $30 million
emergency fund of money, to be made available in case of such things as a natural disaster.\textsuperscript{175}

Title II provided for the 3¢ fuel tax for vehicles registered for highway use. This tax extended to special fuels like benzol, benzene, and naphtla. The Senate tax on overweight vehicles was adopted over the House, calling for $2.50 for very 1,000 pounds over 26,000 pounds. The new vehicle excise tax was extended only to highway use vehicles, and did not cover buses and other vehicles used for intercity transit, etc. Public transportation companies were to be reimbursed for any highway taxes paid on vehicles or products. A provision was added to prevent the appearance of deficits, whereby the federal government was to calculate the expenditures for the year, and if they were not equaled by the receipts in the trust fund, the apportionments for all the states would be reduced proportionately until a balance was reached.\textsuperscript{176}

The House of Representatives approved the conference bill in an apparently unanimous voice vote. The Senate approved it by a vote of 89-1 (the only dissenter was Russell B. Long (Democrat, Louisiana) who believed that the current taxes were enough). Fallon and Gore said that it will be "the greatest governmental construction program in the history of the world."\textsuperscript{177}

The Bureau of Public Roads in 1956 had not yet designated all 41,000 miles of the interstate system. Rather, it still had 2,175 miles of public roads to designate, and it put them in cities. The Bureau published the \textit{General Location of National System of Interstate Highways Including All Additional Routes at Urban Areas}, better known as the "Yellow Book." Suddenly, with the addition of urban routes, congressmen had a dramatic and physical picture of just how their constituents would benefit. Harold R.

\textsuperscript{175}Congress, \textit{Congressional Record}, vol. 102, part 8, 11001-11002.

\textsuperscript{176}Ibid., 10999-11000.

\textsuperscript{177}New York Times, June 27, 1956, 1:6.
Lovre (Republican, South Dakota), Hugh Scott (Republican, Pennsylvania), Charles B. Brownson (Republican, Indiana), John M. Varys (Republican, Ohio), and others changed their votes simply because of the distribution of roads outlined in the Yellow Book. Only one representative whose city appeared in the Yellow Book voted against the bill in 1956, and he lost his next election.\(^{178}\) The Yellow Book demonstrated in a concrete and visible way the benefits which urban areas would receive, and gave congressmen a physical view of how their constituencies would be affected. No small reason for the success of the 1956 act is that it began to take into consideration the long-ignored urban issues associated with a highway program.

Eisenhower signed the bill into law on June 29 in Walter Reed Medical Center, where he was recovering from surgery.\(^{179}\) It was one of 27 he signed that day, and White House press secretary James Hagerty said that Eisenhower "was highly pleased."\(^{180}\) It was just in time for the taxes to go into effect on Sunday, July 1. Immediately, things began moving. Secretary of Commerce Sinclair Weeks announced immediate plans to distribute $1.125 billion to the states. Further estimates reckoned that in the next two months, about $100 million worth of contracts would be awarded by state highway departments.\(^{181}\)

The 1956 Act promised something for everyone. There would be an increase in mobility for motorists over better roads. Trucking companies would have better roads on which to transport more goods, safer, faster. Cities would have a way to relieve traffic and intracity travel concerns. Businesses all over the country would be given a boost through the unprecedented public works project. Historian Tom Lewis has even gone so

\(^{178}\) Lewis, 120-121.

\(^{179}\) Lewis, 121.


\(^{181}\) Ibid.
far as to say that "Congress had voted to enact nothing less than a fundamental change in the American way of life."\textsuperscript{182} It was, at any rate, clear that the face of America would be changed permanently.

* * *

The legislation had been passed. The next years would have to be spent making the law into a reality. But it was a reality that not everyone was receptive to. There were grave doubts on the part of many who believed that simply building more roads was not a solution to the problem of the United States' transportation needs. Urban historian and planner Lewis Mumford reacted negatively to the Interstate Highway Act. Writing in 1958, he lamented:

When the American people, through their Congress, voted a little while ago... for a twenty-six-billion-dollar highway program, the most charitable thing to assume is that they hadn't the faintest notion of what they were doing. Within the next fifteen years they will doubtless find out; but by that time it will be too late to correct all the damage... that this ill-conceived and preposterously unbalanced program will have wrought.\textsuperscript{183}

Mumford saw that simply building more highways was not an adequate solution for the nation's transportation needs, urban and interstate. Indeed, he believed that the over-development of the highway system would wipe out the very freedom that the automobile promised. Like many of his day, he bemoaned the drain of people, and consequently life, from the cities into bland suburbs, and the total dependence of these suburbs on automobile transportation. The nation had placed the burden of all transportation solely on the shoulders of the automobile, a burden that no single means of transportation could

\textsuperscript{182} Lewis, 122.

\textsuperscript{183} Lewis Mumford, \textit{The Highway and the City} (New York: Harcourt Brace Jovanovich, 1963), 234.
take. The solution to this fatal system of "mono-transportation" was the diversification of modes of transportation and effective planning of sprawl and growth. Diversification needed to start with accessibility and attractiveness for the pedestrian, and include the revitalization and usefulness of rail travel and subway or elevated rail travel. Zoning, likewise, needed to conform to these alternative forms of transportation, preventing sprawl and maintaining local diversity of access. To achieve this required and still requires not only effective local planning, but effective national planning. Transportation, in short, is based around the city, and an efficient and practicable transportation system - no matter how well planned - can not truly exist until a better structure for metropolitan areas and their planning is discovered.

Despite all these problems which existed as the first new interstates were built, it can not be denied that the nation needed a modern road system. Regardless of what the nation as a whole should be doing with themselves in a coordinated way, they were, without a doubt, relying on their cars and were not about to give them up. Congress had to act to avert a calamity. Indeed, the states were already acting on their own. A national highway plan would be necessary to prevent the kind of transportation chaos seizing the nation's roadways as seized its rail lines when they first exploded without any kind of national uniformity.

In 1955, the Congress decisively defeated three different approaches to the problem of highway finance and construction. Many blamed selfish big business interests like trucking, which were not willing to pay their fair share of a needed national reform. Eisenhower and his administration, however, should take a portion of the blame for the failure to pass legislation in 1955. Eisenhower was convinced that there was only one way to finance a national highway program, his bond finance corporation. Eisenhower had a fanatical desire not to raise taxes which he was concerned would make him unpopular with the American people and slow the nation's economic growth. He
wanted a road program, but as of yet was not prepared to ask people to pay for it. The people, however, were ready to pay for it.

As is the case with any successful piece of legislation in a democracy, the bedrock of success was compromise. The bill put forth by Boggs and Fallon, however, made that easy. Gone was the dubious and unsound bond finance corporation plan. The taxes were lower, easily bearable for the motorist and the motor transport firm alike. Major sticking points were overcome, though often not gracefully. The Davis-Bacon provision, for example, was to be instituted by federal mandate, but the federal government was commanded to work in conjunction with the states. Another compromise was in the apportionment agreement, where for the first years the Senate formula would be used, and for the last the House's estimates of cost plan. Though clearly not everyone was happy with the end result 100 percent, they had a bill that they could at least agree to, and a bill which would give the public what it wanted and so desperately needed.

The nation as a whole, moreover, began to see the benefits of an integrated national road system more clearly and optimistically. Highway construction was tied to economic growth in the minds of many. If only traffic could move freely and if money could be spent on roads, the economy would prosper. Contractors and trucking companies could look forward to profits, economists and government officials could look forward to economic prosperity, and the average citizen could look forward to faster and easier trips to jobs to home or to anywhere he wanted to go. The United States had long ago committed itself to the automobile, and now the government was committing itself to the legislation that would give the nation the roads it needed to make automobile transportation successful.
PUBLIC ROADS ADMINISTRATION
FEDERAL WORKS AGENCY
NATIONAL SYSTEM OF INTERSTATE HIGHWAYS
SELECTED BY JOINT ACTION OF THE SEVERAL STATE HIGHWAY DEPARTMENTS
AS MODIFIED AND APPROVED
BY THE ADMINISTRATOR, FEDERAL WORKS AGENCY
AUGUST 2, 1947
Don't Laugh!

...OUR HIGHWAYS ARE JUST AS OBSOLETE

Antiquated as that old-fashioned car may be ... it is no more out of date than our present narrow, dangerous highways. Without major improvement for almost 30 years, obsolete roads cost Americans billions of dollars each year in lost time, lost lives and lost property.

Vital to the economic peacetime life of our nation ... adequate highways could mean the difference between victory or defeat in time of war. Get behind this fight for better highways. Remember ... Good Roads Are Everybody's Business!

TRAILMOBILE INC.

Subsidiary of Pullman, Incorporated

TRAILER SALES AND SERVICE FROM COAST TO COAST
IN THE UNITED STATES AND CANADA
Figure 3: *Collier's*, March 30, 1956, 3.

Let's stop marking time—
AND GET THE DIRT FLYING!

Everybody knows that America needs a nationwide network of super roads to keep our expanding economy on the move. Highways are jammed today with more than sixty-million motor vehicles. They carry most Americans to and from their jobs—transport 77% of the nation's freight—and the jam is getting tighter every year.

We must start building a national superhighway system now—or resign ourselves to the inchworm travel that is costing the public nearly ten billion dollars every year in lost time, wasted fuel and accidents.

We have the tools ready for the job. America's road-building industry is equipped with legions of amazing machines—bulldozers, scrapers, shovels, cranes, graders and trucks all mounted on giant rubber tires—that can lay down modern multi-lane highways in one-tenth the time it took to build the inadequate roads of yesterday.

Your representatives in Congress are now weighing this problem in all its many aspects. All of us who use the roads—and that's just about everybody—have full confidence that they will bring forth legislation that will enable our road system to catch up with our automotive progress. But the road system is far behind and we'll have to build like mad for the next few years to catch up.

America has everything that is needed—including the finest road-building equipment to get the job done now! Let's stop talking and go to work. There's no job too big for America!

Printed in the public interest by

**GOOD YEAR**
THE GREATEST NAME IN RUBBER
The objectives stated in the preamble of the Constitution are important to every citizen. The general welfare, common defense and a more perfect union—all would benefit from the 40,000-mile National System of Interstate Highways already authorized by Congress.

This highway system, when completed, will accommodate not only today’s traffic, but the vastly increased traffic projected through 1975. Tying the Union together with a great highway system of expertly engineered concrete roads and expressways would help all motorists and highway users and will save thousands of lives and uncounted millions of dollars annually for taxpayers.

Concrete is the logical pavement for the National System of Interstate Highways because of its great durability, safety, long life and low-annual-cost economy. No other paving material equals concrete in skid resistance and high light reflectance—wet or dry, night or day. You can see better, stop quicker. Write for free booklet, “Save Lives, Save Dollars with Concrete.” Distributed only in U.S. and Canada.

PORTLAND CEMENT ASSOCIATION
33 West Grand Avenue, Chicago 10, Illinois
A national organization to improve and extend the uses of portland cement and concrete... through scientific research and engineering field work.
BIBLIOGRAPHY

PRIMARY SOURCES:


"The Controversy Over the President's New Highways Program." *Congressional Digest*, May 1955, 139.


