Lady Bird Johnson and the Environment

Gould, Lewis L.

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While the signing of the Highway Beautification Act on 22 October 1965 reflected a legislative victory for Mrs. Johnson and the billboard opponents on Capitol Hill and in the White House, it did not change the existing political alignments on the issue itself. The billboard industry remained intent on defeating the new law in its administrative phase or, at worst, on transforming it into legislation that would work to the advantage of the outdoor advertising business. Advocates of billboard control outside of the administration had strong doubts about the effectiveness of the new law; they were waiting to see how strongly it would be implemented. If the First Lady did not take as much interest in how the law worked in practice as she had shown in its passage through Congress, the Highway Beautification Act would be a program without friends in a political world of abundant and resourceful enemies.

After President Johnson had indicated to Department of Commerce officials at the bill-signing ceremony that he expected prompt action to put the highway-beautification program into operation, Rex Whitton took the hint. Invitations went out to state highway officials who were responsible for beautification to attend a conference in Washington on November 2. The day after that briefing, regional engineers from the Bureau of Public Roads came to town, and the National Advisory Committee on Highway Beautification gathered on November 4. Meetings were also scheduled with pro-billboard groups on December 1 and with the friends of highway beautification on December 9. “We are endeavoring to put the ‘hard sell’ on the Act,” Lawrence Jones, the deputy highway administrator, told Liz Carpenter on November 23, though he noted that roadside councils and enemies of billboards tended “to feel that we didn’t get enough in the present bill.”

Putting the law into operation was a cumbersome and protracted process. The Department of Commerce had to appoint a highway beauty coordinator and had to create beautification units within its existing of-
fices. From the outset the department encountered difficulty in locating someone to take on the coordinator’s post. An inventory of billboards and junkyards was launched in January 1966. By the middle of the same month, some 141 projects were under scrutiny as part of the act’s implementation, including 1 for “screening a junkyard, 15 for safety rest areas, 12 for landscaping, and 3 for acquisition of scenic strips.” The most elaborate set of requirements had to do with billboard control. Public hearings had to be held in each state on such topics as the definition of zoned and unzoned commercial and industrial areas and other contemplated standards for billboards.2

Lady Bird Johnson kept her eye on this set of activities. Talking with Secretary of Commerce Connor at the White House over dinner, she asked for a progress report, which he sent to her on January 19. After reading a memorandum from Alan Boyd, she replied that “it seems most valuable to have strong administrative procedures at the outset,” and she expressed her pleasure at “the important steps that are being taken to further this program which can have such a positive impact on the roadsides of America.” On 28 January 1966, the department made public in the Federal Register the draft standards for billboard regulation, which would form the basis for discussion at the hearings in the fifty states.3

In its announcement the department specified carefully that the standards and guidelines “do not represent any conclusions, or even tentative conclusions on the part of the Secretary of Commerce.” However, the substance of the draft standards took positions that favored more stringent regulation of billboards than the industry had anticipated or that Congress had had in mind. The suggested language would have barred signs that moved or were animated, and the department defined an unzoned area in a precise and unequivocal way. The size of the permitted signs was smaller than what the industry normally used, a 150-foot distance from the roadway was established, and signs on roofs would be drastically curtailed. Lights that flashed, blinked, or moved would also be prohibited, and the draft regulations outlawed signs within 2,000 feet of an interchange or intersection on a freeway or primary road and within 250 feet of an intersection on a standard street.4

The publication of the draft standards triggered a prompt and overwhelmingly negative response from the billboard interests and on Capitol Hill. A Louisiana congressman called the standards “a serious misinterpretation of the intent of Congress in passing the Highway Beautification Act,” which would “seriously jeopardize, perhaps almost destroy, the outdoor advertising industry.” In the Senate, Jennings Randolph denounced the standards, and Senator Edmund Muskie (D, Me.) warned that the law “may be unnecessarily jeopardized by an overzealous inter-
Phillip Tocker and the Outdoor Advertising Association of America circulated critical comments on the draft standards among friendly lawmakers; and the president of the Brotherhood of Painters, Decorators, and Paperhangers wired Secretary Connor that “in my judgment the standards you propose are in outright conflict with the intent of Congress and the Highway Act as passed in 1965.”

The Department of Commerce had an impossible task in early 1966. No matter what tentative language it proposed, one side in the billboard struggle would have been angered. The Highway Beautification Act of 1965 had contained the kind of deliberate obscurity that sometimes accompanies disputed legislation. The Johnson administration believed that in October 1965 it had preserved the authority of the secretary of commerce to have the final word on billboard regulations. Both Congress and the industry thought that they had prevented such a role for the government. Now the struggle would begin again over the draft standards and the actual rules that came out of the hearing process.

The issue of funding the beautification program, which had hampered the legislation during the summer and fall of 1965, arose again in 1966. In March the Johnson administration proposed a Highway Safety program when the president told Congress that “the carnage on the highways must be arrested.” The Traffic Safety Act would be financed by transferring to the Highway Trust Fund amounts equivalent to 1 percent of the excise tax on passenger cars. That tax had been reduced at the beginning of 1966, and the Budget Message asked that the levy be reinstated and that other scheduled reductions be postponed to help offset the rising costs of the Vietnam War. As the administration envisioned it, highway-beautification money would go into the same trust fund and come from the same source. With dedicated revenues, beautification would be outside the vagaries of the congressional appropriations process. The 1965 act had provided funds for the 1966 and 1967 fiscal years. Because the act would have to be renewed in 1967, the funding question would be settled before the law came under legislative scrutiny.

The initial responses to the administration’s funding scheme were not encouraging. In February an irate constituent of Senator Everett M. Dirksen’s (R, Ill.) asked, “Is it more important to satisfy the Whim of Mrs. Johnson or use the money he wants appropriated for saving our youth in Viet Nam?” When the Senate held hearings in May on the Federal-Aid Highway Act of 1966, representatives of the American Road Builders Association and the American Association of State Highway Officials expressed reservations about having any money from the Highway Trust Fund allocated away from construction purposes. By the
end of June the administration was confronting problems “in securing a commitment from Wilbur Mills for early action by the Ways and Means Committee” on the highway safety and beautification trust fund.7

Another issue growing out of billboard regulation troubled the Commerce Department in mid 1966. The Highway Beautification Law specified that a state would lose 10 percent of its federal-aid highway funds if it had not effectively controlled outdoor advertising on the Interstate and primary-roads systems within its borders. The law also mandated that billboard owners must receive compensation when their signs were taken down. Were the states required to pay compensation and would they lose their federal highway funds if they chose instead to reduce the number of billboards through the use of the police power? Since this approach was the preferred method in such an antibillboard state as Washington, federal insistence on compensation and the penalty of lost federal funds would work against those localities in which effective regulation was already taking place. To resolve this issue the Department of Commerce decided in July 1966 to seek an opinion from the attorney general. “May Congress constitutionally force a state to choose between an otherwise lawful exercise of its police power and the State’s full share of highway construction funds?” was how the department posed the question. The Justice Department did not respond promptly, and Rex Whitton told Helen Reynolds of the California Roadside Councils on 10 November 1966 that the department was still waiting for an opinion from the attorney general that would have “a significant impact on the cost of implementing the Act, both on the Federal and State levels.”8

While these related issues were developing on the sidelines, the hearings process to develop standards for billboard regulation went forward across the country. The OAAA participated extensively in the process of reshaping the proposed rules in a direction that would be more favorable to the industry, and Tocker’s lobbying had an effect. In July 1966 the Bureau of Public Roads circulated revised guidelines for billboards that moved closer to what outdoor advertisers wanted. In negotiating with the states, the secretary of commerce would have definitions at hand for what constituted an unzoned commercial or industrial area and specific criteria for the size, lighting, and spacing for signs in zoned commercial or industrial areas. The Bureau of Public Roads allowed a maximum size for billboards of 750 square feet and also said that there could be as many as ten billboards per mile. In the January proposals the maximum size had been 300 square feet within 150 feet of the highway and 400 square feet at any greater distance. The number of signs allowed in the January rules had been six per mile.9

These changes caused Sharon Francis to ask Rex Whitton of the bureau
"if anything could be done to decrease the size of the huge 750 foot signs in the BPR regulations." Whitton countered that these larger signs would be used only in commercial areas. When Francis complained that these billboards did not reflect "customary" usage "as defined in the Act, but an extraordinary and 'new' usage," Whitton asked her "whether this meant we wanted the size decreased, and I [Francis] said 'definitely.' He did not seem happy, but said he would talk it over with his 'boys.'" Francis also drafted, but did not send, a letter to Lawrence Jones about billboards. Given the delicate situation in Congress over the administration's highway proposals, an assertion of the First Lady's influence at that point probably did not seem wise.10

In July and August the Johnson administration was retreating on several topics relating to beautification in the highway program. Lowell Bridwell and Paul Sitton of the Commerce Department asked the staff of the Senate Public Works Committee not to include additional funds for beautification until "a reasonably firm cost estimate" for the program was submitted in January 1967. As it happened, such a request might have been turned down in any case. Efforts to create a trust fund for safety and highway beautification also were bogged down in the Ways and Means Committee. When the full House took up the Federal Aid Highway Bill on 11 August 1966, the bill contained, despite the administration's wishes, an authorization of $243 million for highway beautification in fiscal 1968 and $250 million for fiscal 1969. Each year, $80 million was allocated to control outdoor advertising. The money was included in this way to underline that beautification appropriations had to come from general revenues. To underscore that point, the House measure also contained explicit language to prevent the White House from diverting funds from the Highway Trust Fund for beautification purposes.11

In the House debate, Republicans endeavored to have all authorizations for beautification removed from the bill. One lawmaker said: "There is considerable uncertainty about the beautification program, about its implications, its costs and how it is going to work out. To force ourselves to review this program next year makes eminent good sense." Democrats responded that the amendment "would simply do away with the Beautification Act entirely." This position was weakened because the Johnson administration itself had not asked for the authorization at a time when the president was publicly criticizing Congress for excessive spending. The amendment failed by a vote of 48 to 65. After approving what the Public Works Committee had proposed as the Committee of the Whole, the House then considered the measure as a bill. Gerald R. Ford (R, Mich.) offered a motion to recommit the bill to the Public Works Committee with instructions to report the bill back stripped of all
beautification authorization. The recommittal vote narrowly failed, 173 to 175, with 84 members not voting. Enthusiasm for beautification in the House was diminishing during the summer of 1966, and the response to the program indicates that a bill stronger than the one passed in 1965 would have had almost no chance.\textsuperscript{12}

When the highway bill went to a House-Senate conference, the administration met more trouble. The conferees agreed to keep the House language that barred any use of the Highway Trust Fund for beautification. The Senate also insisted that the $493 million for all highway beautification be deleted, a loss that the White House could more readily accept in light of its decision to concentrate on a push for funding in 1967. The House debated the conference report on 31 August 1966 and readily agreed with the Senate’s insistence on cutting beautification. “This is a program,” said William Harsha (R, Ohio), “that could well be held in abeyance while the administration attempts to get its fiscal house in order.” Two days after the report had gone through by a vote of 359 to 1, Congressman Bob Wilson (R, Calif.) said that it was a “dramatic way for the Chamber of Congress closest to the people to show the White House how Americans feel about nonessential spending, however desirable, in this wartime economy.”\textsuperscript{13}

After the legislative setback, the prospects for highway beautification became even gloomier. In early October 1966, Liz Carpenter and Sharon Francis warned the First Lady “about an obvious all-out effort” by the “billboard lobby” to shape the way the Highway Beautification Act was being implemented. The OAAA had hired a crack Washington attorney to press for the least-stringent standards possible, and the Bureau of Public Roads had already backed away from the tough January proposals in the revised language of July. Mrs. Johnson should call Rex Whittington, Alan Boyd, or John Connor “and tell them that we do not want their regulations to make us a laughing stock.” In 1967, they went on, strengthening amendments should be added to the law to make it “a more positive tool.”\textsuperscript{14}

The record is unclear about whether the First Lady made a call to these officials, but she did engage in an effort to enhance the enforcement of the law by locating a candidate for the still-vacant position of coordinator of highway beautification. Lady Bird Johnson had first met Fred Farr, a California state senator, on her trip into Virginia in May 1965. In September 1966, on her visit to the West Coast, he had been with her when she had dedicated the Point Reyes national seashore. Meanwhile, Public Roads had been unsuccessful in persuading anyone to take the beautification post. After the 1966 elections, Mrs. Johnson had Liz Carpenter suggest Farr’s name to the Department of Commerce. Lowell
Bridwell wrote to him on November 21 about beautification, adding that “we are not yet at the place where we have great confidence that this program is moving forward as well as we had expected.” By December, Farr had shown interest in the appointment, and in early January 1967 he agreed to accept the post. His selection, which came at Lady Bird Johnson’s instigation, was designed to put an official who was sympathetic to beautification into the Bureau of Public Roads to offset its perceived tilt toward the outdoor advertising industry.\textsuperscript{15}

As the White House and the industry prepared to respond to the guidelines on billboards that would be made public on 10 January 1967, the new Department of Transportation, which had been created by Congress in 1966, began to take over from the Department of Commerce the responsibilities for beautification. The head of the Department of Transportation would be Alan Boyd, who was moving over from the Department of Commerce, where he had dealt with billboards in 1965 and 1966. He had generally supported Lady Bird Johnson’s program, but once in office, he would confront the inescapable reality of beautification’s unpopularity on Capitol Hill.\textsuperscript{16}

Boyd reviewed the status of highway beautification in a memorandum that he sent to Mrs. Johnson on 4 January 1967. He projected a five-to-ten-year effort that would have an estimated cost in the $200 to $300 million range, and he told her about the administration’s plans for a safety-and-beautification trust fund. Boyd asserted that in economic terms, “highway beautification provides an overall gain to the Nation’s economy.” He predicted that industry representatives would have a different view during the next session of Congress. The controversies arising from beautification, he wrote, resembled “parallel issues which arise in the fields of resource conservation, air pollution, highway safety improvement and general aesthetic, historical and cultural preservation, when the interests of powerful and articulate segments of our society and economy are prescribed.” The program would be an “interesting test” of the relative political impact of contrasting attitudes “which grow from the phenomena of adjusting overall social and aesthetic aspirations of an affluent society to conventional economic attitudes in a free enterprise system where private interests are adversely affected by broader social objectives.”\textsuperscript{17}

When the standards became public knowledge on January 10, the reaction of Congress and the industry disclosed that the secretary’s prediction of an “interesting test” of contrasting attitudes was a mild understatement. On several points, the Bureau of Public Roads had moved away from the relaxed language of the July 1966 provisions and had gone back to the more restrictive January 1966 guidelines. The definition of
what constituted an unzoned commercial or industrial area said that there had to be at least two separate and distinct business activities in actual use on one side of the highway. The other side of the road would be excluded from the definition. The billboard forces and the motel industry maintained that an unzoned commercial area was where advertising would be appropriate even if actual use was not taking place.18

On the size of billboards, the new standards represented a further departure from what outdoor advertisers had advocated. The 750-square-foot maximum of July 1966 was cut back to 550 square feet. Both figures were well below the 1,200-square-foot size that the industry said reflected “customary use.” As to spacing, a minimum standard of 500 feet was to be established, which the billboard companies contended was inflexible and a departure from customary use. The regulations also prohibited signs within 2,000 feet of an intersection on the Interstate or primary system, largely on grounds of safety. In regard to all of these points of regulation, the billboard lobby charged that the federal government lacked the power to issue national standards and instead was required to reach a mutual agreement with each individual state. Boyd countered that the billboard industry “appears to be asserting to some degree an absolute and inherent right to invade the highways with their advertising devices without regard to national objectives.”19

Boyd’s arguments on behalf of these standards embodied the Johnson administration’s view that the 1965 act had been designed to control and reduce outdoor advertising and that the secretary of commerce and now the secretary of transportation had the authority to seek “minimum compliance with the overall purpose of the Act.” Congress had intended, Boyd stated, to establish “minimum standards,” and the secretary had been “given responsibility for establishing a floor to assure consistency with the national objectives of the Act”5 and the means to do it by withholding highway funds. It remained to be seen whether Congress had passed the Highway Beautification Act with this set of assumptions in mind. The debates in 1965 suggested that the aim of the lawmakers had been to limit the power of the national government to set billboard standards, not to increase it in the way that Boyd and the Bureau of Public Roads had done.20

Initial reaction from Capitol Hill was not encouraging to the administration’s position. After receiving the January 10 report, Senator Jennings Randolph wrote to Boyd to warn him that “these standards and criteria are not to be used as a statement of the Department’s final position to which the States must agree if they are to avoid imposition of the 10% penalty.” Within two weeks, the White House had learned that the billboard industry wanted Congress to hold extensive hearings on the
proposed standards. At the same time the announced price tag of $2.7 billion for the beautification program ran into the economy mood in Congress as the Vietnam War escalated.²¹

Conservationists were already pushing for a stronger beautification law in early 1967. Congressmen from Washington State, which had strong billboard-control laws that the 1965 act might actually weaken, introduced measures to remove the mandatory compensation feature and to limit the application of a revised law to the Interstate Highway System and to scenic roads, rather than to the 220,000 miles of the primary-roads system. The pressure from this side of the issue was still not as forceful as it might have been. The Conservation Foundation, with which Sharon Francis had been talking, assured its members that the Bureau of Public Roads had “done a fair and conscientious job of administering the Highway Beautification Act to date,” but the issue that remained, in their view, was “whether the billboard control program is administratively workable.” With the conservation groups still skeptical about the law, the administration had to defend Mrs. Johnson’s program against the mounting anger on Capitol Hill.²²

President Johnson endeavored to use his influence to deflect congressional opposition to beautification in late January. He suggested to the First Lady that she should get “the women organized” for highway beauty and “give some awards” for successful examples of beautification. Liz Carpenter set about arranging a ceremony to honor “outstanding examples of highway beautification”; this would take place before any hearings occurred in Congress. At the same time the president told congressional leaders of both parties that if they made “any attempt to cut back funds,” Mrs. Johnson would “come to the Capitol to lobby for such funds.”²³

Despite these White House responses, pressure from the billboard industry reached such an intense level by the first week of February 1967 that Congressman John Kluczynski prepared to call hearings on the revision of the 1965 law. The Democrats on the Public Works Committee feared that if they did nothing, the Republicans, especially William Cramer of Florida, would “take the initiative and force such hearings anyways.” Alan Boyd told the president that the Senate was in the same angry posture, and he recommended that the administration accept “a moratorium on urban billboards,” which would leave the rest of the program intact. The secretary opened negotiations with the staff of the House Public Works Committee to seek a compromise by February 22. Boyd made some important concessions, which would have allowed “billboard regulation in zoned commercial and industrial areas to be handled by local zoning authorities.” With this signal that the administration might
give ground, the congressional side pushed for more concessions, and the talks stalled in mid February.24

On February 16, Mrs. Johnson held her reception to honor the Citizens Advisory Committee on Recreation and Natural Beauty, the main purpose of which was to put Congress in a more receptive mood toward the beautification program. The First Lady worried that the event “might lose us some Congressional support,” but Sharon Francis said that it would be “a rallying point—to set the vision of the future, not the Congressional Act of the moment.” The event went on as planned, and eight awards for highway beautification were also presented. Mrs. Johnson told the guests that “our challenge is to see that these highways are not only superbly functional, but also in harmony with our landscape and a pleasant asset to our lives.” It was a nice occasion, but it changed few minds in Congress, where attitudes on billboards had become solid and unbending.25

As evidence of this situation, Kluczynski went ahead in early March with his plan for public hearings and for congressional resistance to the administration. He wrote to each governor on March 3 that “mutually acceptable revisions in the proposed regulations under the Highway Beautification Act” had not been worked out, and he assured them that no penalty would be invoked against any state that had failed to take legislative action to be in compliance with the law by 1 January 1968. Then, on March 20, Kluczynski and Cramer announced that hearings would be held in early April.26 Boyd informed President Johnson that the demands for “a softening of our billboard control regulations” had been intensifying; he now believed that it was “impossible to avoid a public confrontation on legislation.” He did not emphasize how far the administration had perceptibly weakened its stance on billboards to conciliate the lawmakers. Under the Transportation Department’s concessions, the states could “delegate control of urban outdoor advertising to local zoning authorities” as long as some regulation or land-use planning existed. In rural areas, only one commercial activity would have to be present to justify the existence of a billboard. Boyd hoped to retain flexibility on how much highway frontage billboards might cover.27

Boyd’s memorandum about the beautification situation went to White House aide Douglass Cater and from there to the president. The secretary asked that Cater meet with conservation lobbyists, and President Johnson agreed, adding in his own handwriting: “See Liz & Mrs. J about this also.” The meeting took place at the White House on 3 April 1967, two days before Kluczynski’s hearings were scheduled to begin. Boyd told Sharon Francis, Mary Lasker, Spencer Smith, and others in attendance that “there was no way to avoid public hearings.” The White House
should accept no changes in the 1965 law. “We may be blooded in the House committee, but we hope we can hold fast in the Senate.”

The conservationists pointed out that their members liked the bill sponsored by Thomas Pelly (D, Wash.), which would give the states a choice between compensation and the police power in regulating billboards on the primary-roads system. Boyd told them that there was no chance of removing the compensation provision. An opinion of the attorney general had indicated in November 1966 that a state did have to pay compensation to avoid losing 10 percent of its federal-aid funds, and there was no likelihood that the lawmakers would vote to abandon what they had insisted on in 1965. “The discussion produced general recognition among the beauty groups that the situation is very grim,” Cater told the president.

As the House hearings opened, a columnist wrote: “Highway beautification is the President’s baby. Will he do anything about this orphan?” The White House and the First Lady were still caught between conservation organizations that wanted a tough billboard law and Congress, which would accept only the weakest kind of billboard control. The testy mood of the House Public Works Subcommittee was apparent when the hearings convened. Kluczynski’s opening statement asserted that “the present law and its proposed implementation are satisfactory to almost no one.” Cramer was equally critical in his remarks: “To make the highway beautification program workable it may require substantial changes in the law.” The ostensible purpose of the hearings was to examine the administration’s bill to create a trust fund for highway safety and beautification, but it rapidly became evident that the real goal was to assail the 1965 law and Secretary Boyd. Jim Wright (D, Texas) reported that the White House had “frustrated the intent of Congress on customary usage,” and another observer said to Sharon Francis, who sat in on the hearings the first day: “We do have real trouble. They are determined to weaken—not regulations but the statute.”

The witnesses that paraded by the committee during the rest of April and into May vied with each other in condemning the 1965 measure and the interpretation that the Johnson administration had given it. The president of the Foster and Kleiser division of Metromedia asked that the committee persuade the Transportation Department “to rescind these unreasonable criteria” or make clear in the committee report “that they are unfair and unworkable and in no way reflect the intent of the Congress.” The labor counsel for the National Restaurant Association said that the draft standards represented “a return to the belief that killing billboards can produce beauty.” When Helen Reynolds testified in favor of billboard control, Congressman Jim Wright asked her, “Do you not
see a danger in the over exercise of what the majority might think is or is not pretty?"  

Alan Boyd appeared before the subcommittee, along with Lowell Bridwell, on 2 May 1967, and he correctly reported to the president that he found the lawmakers “generally hostile.” Jim Wright told the secretary that “Congress feels or members of the committee feel that you fellows are trying to do things within these commercial industrial areas, for one thing, that were not contemplated in the act.” Cramer inquired at one point: “Why is this before us during the Vietnam crisis?” Toward the end of Boyd’s testimony, Kluczynski said about the 1965 law, “I believe we enacted a can of worms,” and he promised, “I am going to try to untangle that.” As Boyd concluded, the “consensus was that the law is not working as Congress intended; it will cost too much; it must be changed.” After Boyd had testified, White House aide Henry Wilson told Postmaster General Lawrence O’Brien that “the reaction from the committee is just terrible.” He then added, in a sentence that reflected the male assumptions about the beautification program in general, “But I can appreciate Alan’s problems what with Liz Carpenter, etc.”

After the House hearings had ended in early May, the two sides in the billboard dispute began negotiations to see if any compromise could be reached. As these talks progressed, Lady Bird Johnson and Carpenter tried to mobilize the probeauty forces in Congress. Carpenter met with one of the few friendly members on the Public Works Committee, Richard McCarthy, a New York Democrat, and began to form the “bill bards,” who would seek “to save the Highway Beautification Act of 1965.” He urged that “we should try to get a beauty lobbyist in bed with every member of Congress.” The campaign to arouse support on the Hill resulted in some positive speeches in the *Congressional Record*, which Carpenter and the others in the White House drafted for lawmakers to deliver or insert. Still, the balance of forces in Congress remained averse to Mrs. Johnson’s position, as Secretary Boyd’s discussions with the Democrats on the House committee soon revealed.

Boyd met with these lawmakers in late May and reported to the White House that their discussion had been “as harmonious and as productive as any I have been involved in with the Congress on Beautification.” The good feeling probably arose because Boyd had yielded to most of the demands that the Democrats had made upon him in regard to billboard control. He agreed to send a letter to the chairman of the full committee, promising to leave the regulation of billboards “to local zoning authorities” and to relax the definition of an unzoned commercial area. Boyd conceded that this meant the removal of “less billboards along
the rural stretches of highway,” but he assured the White House that “nevertheless, we will still have a sound billboard control program.” He also told the committee members that he would not impose penalties on states that failed to reach enforcement agreements with the federal government in 1967 or 1968.35 Joseph A. Califano, Jr., informed President Johnson that “this is not a bad deal, and we will be fortunate if we can hold it.” The Republican leader in the House, Gerald R. Ford of Michigan, had announced that he would seek to have the entire highway-beautification program dropped, “and our main fight on the floor will be on that basis.”36

These developments left the supporters of billboard regulation who were outside the Johnson administration at a loss regarding what congressional position they should endorse. The House subcommittee was not going to report out the Pelly bill, which the roadside councils preferred to the 1965 law, and yet the “just compensation” feature of the law threatened to stymie state action against billboards. “We have to be ready to take a position as soon as the Kluczynski monstrosity appears, hiding under the cloak of the Highway Beautification terminology,” Helen Reynolds told Spencer Smith. The upshot of these comments was that Lady Bird Johnson and the White House still lacked any semblance of the enthusiastic backing of the conservationist forces for her approach to billboard regulation.37

Equally vexing to Lady Bird Johnson and those around her were the persistent charges that she and her husband had selfish motives in seeking highway beautification and also that the federal government itself frequently used billboards to advertise its programs to the public. From the outset of the billboard controversy, there had been gossip that the Johnsons wanted to restrict outdoor advertising because of their television holdings. In early 1966 it was reported to the White House, as a widespread rumor in Minnesota, Arizona, and North Dakota, that “the reason the Johnsons want to do away with highway signs, is that they have television interests and that way, TV will get all the advertising. Hence the campaign by Lady Bird Johnson to beautify the highways to cut down on advertising signs.” Complaints were also made to the First Lady that the LBJ Ranch had a sign along the highway that violated beautification principles. Liz Carpenter wrote to the president of the Colorado Motel Association, who had made the protest, and Mrs. Johnson remarked privately: “First of all the sign has come down. Secondly, she doubts that any answer would satisfy them.” While she was probably aware of how billboard advertising related to their media holdings in a general way, Lady Bird Johnson did not base her views about outdoor advertising on how her personal financial interests or television-
station holdings would be affected. As for her husband, if he was for billboard regulation because she wanted it, it is hard to see how he could also have had a hidden financial agenda in mind at the same time.\footnote{38}

The problem of persuading all component parts of the government to limit the use of billboard advertising was a continuing irritant to Lady Bird Johnson and her staff. In October 1966 a woman in Texas sent her pictures of signs that the Defense Department used to promote recruiting. Bess Abell fired off a memorandum to the secretary of defense: “Because of Mrs. Johnson’s known identification with the Federal Highway Beautification Act, we hope that posters advertising government activities are not in violation of provisions of the Act.” The answer was sympathetic in tone, but it noted that the military services agreed that “billboard advertising does have some effective results.” The billboard industry also shrewdly exploited opportunities to undercut the White House. In the spring of 1967 the Internal Revenue Service was offered free advertising space on billboards that were not being used. Cynthia Wilson spoke with the IRS information office “and told them how embarrassing their billboards were to us.” The first answer that Wilson received was, “We’ve been afraid someone from the White House would call.”\footnote{39}

A few weeks later, in April 1967, a “Discover America” campaign began with great publicity, launched by Discover America, Inc., a nonprofit corporation that Vice-President Hubert Humphrey had inspired to promote tourism. The campaign slogan “Discover America—It’s 3,000 Smiles Wide” was to appear on forty-five hundred billboards in space that outdoor advertisers had once again donated. “Don’t you think that the above use of billboards is ill-advised?” a New Jersey woman asked Mrs. Johnson, and a Connecticut man wondered, “How we will ever be rid of billboards if the Government sets a poor example, by using them to advertise, for instance, the army and the Peace Corps?” Liz Carpenter told Douglass Cater that the use of billboards by the Discover America campaign “makes us look pretty foolish.”\footnote{40}

At a cabinet meeting on 31 May 1967, President Johnson asked for information about how federal departments and agencies were using outdoor advertising. The Department of Transportation said that it rented billboards in only two places. The General Services Administration (GSA) asserted that it used no outdoor advertising at all. Then, in July, Senator John J. Williams (R, Del.) charged that the government was becoming “one of the worst violators” of the highway-beautification program. The senator, a persistent and effective critic of the administration, said that the Transportation Department and GSA had spent $4.5 million to build seventy thousand signs. “The sole purpose of these billboards is to make sure the voters in the next election understand that the building proj-
ects or the road improvements are a result of the benevolence of one of the Great Society programs.” It turned out that, in fact, “construction identification signs” were included in the number and at the cost that Williams had specified. If outdoor advertising were defined to include such signs as well as billboards, Alan Boyd conceded, “there is a certain validity to Senator Williams’s accusation of ‘Federal double-talking.’ ” The senator’s point, of course, did not address the issue of commercial signs, but it well reflected the Republican offensive against the highway policy of the Johnson administration.41

On 30 August 1967, Lady Bird Johnson met with Liz Carpenter, Sharon Francis, Cynthia Wilson, and others involved with beautification to talk about signs and billboards that the government itself used. “We would like to see a strong policy of No billboards (Join the Army, etc.) used to advertise federal programs,” Carpenter told Cater in her report on the meeting. “Until the Federal agencies set an example, the Administration is going to be subject to valid criticism of not practicing what we preach.” Identifying signs on highway projects were mandated by law, but the First Lady’s staff sought at least to have smaller and more attractive signs.42

This effort persisted into 1968, when Liz Carpenter was still complaining about how to persuade “our friends to quit being a party to the billboard lobby with our own programs.” The letters and snapshots that poured into the White House and to Lady Bird Johnson caused “a setback every time the legislation comes up. I can’t tell you how many people love to make pictures of these billboards and send them to the First Lady!” This sense of continuing division and ambiguity within the Johnson administration over billboards themselves as advertising devices represented a further obstacle to renewed funding and support for Mrs. Johnson’s program in Congress during the summer and fall of 1967.43

After the House subcommittee hearings ended in May, the Senate Subcommittee on Roads of the Public Works Committee opened hearings in late June on the highway-beautification and highway-safety trust fund. In his statement, Alan Boyd stressed the agreement that he had reached in May with Kluczynski over the enforcement of the law, emphasized the administration’s complete acceptance of the principle of just compensation, and came out against any attempt to amend the law to exclude billboards from scenic areas. The ensuing statements from other witnesses duplicated what had been said in the House hearings. Under friendly questioning, Phillip Tacker told the senators that “the Federal Government under the act of 1965 has no authority to promulgate standards” about the size, lighting, or spacing of billboards. Regulations for billboards, said the representative of the Roadside Business Association,
“should not be left to Federal-State agreements.” Mrs. Thomas M. Waller, president of the Garden Clubs of America, praised Lady Bird Johnson for “the outstanding job” she had done “in arousing public enthusiasm for uncluttered natural beauty,” but she asked that the lawmakers delete mandatory compensation and provide for federal enforcement standards. The senators showed minimal interest in her position.\(^{44}\)

In August 1967 the Senate subcommittee voted out an authorization for the appropriation of $85 million in beautification funds for fiscal year 1968 only. The White House had sought $160 million for 1968 and $220 million for 1969. The full Public Works Committee ratified the subcommittee’s action on August 22. The Department of Transportation, which always tended to put the best face on bad news, told Cynthia Wilson that it was “a victory to get any money at all without ‘a change in the ground rules.’ ” Because negotiations with the states over billboard standards were moving slowly anyway—only four states were in compliance—the department had concluded that “the money should be adequate for now.” The full Senate then endorsed the bill on a voice vote.\(^{45}\)

The crucial fight over the authorization bill was going to come in the House, where William Cramer was winning Republican converts to his pro-billboard position. Lady Bird Johnson had Sharon Francis rally the conservation groups for an intensive lobbying effort in the autumn of 1967. At her meeting about beautification on August 30, the First Lady discussed, as Liz Carpenter put it, “how the Beauty act can be pried loose from the Roads Subcommittee.” By early September it looked as if the public pressure for beauty might be building. Francis reported that the mail reaching the House Public Works Committee was running four to one in favor of Mrs. Johnson’s position. Drew Pearson warned his readers that “a skillful lobbying drive against Lady Bird Johnson’s beautification program appears to be bearing fruit.” His column singled out Cramer for particular attention and noted that the “billboard moguls” had placed signs “featuring the Mona Lisa and Gainsborough’s Blue Boy” in Senator Randolph’s home state of West Virginia. Sharon Francis hoped that the increased public support for the highway program would “coincide with full House consideration.”\(^{46}\)

None of the efforts that Lady Bird Johnson and her staff had expended had made any difference on Capitol Hill, as the House soon demonstrated. On September 21 the Public Works Committee reported out the highway-beautification measure by a straight party vote of 18 to 14. The House’s money figures stood at precisely the same levels that the Senate had adopted. The Republican minority came out strongly against the bill. “At a time when the Nation is facing a huge deficit even if the
President’s tax increases are enacted and is confronted with a war and critical domestic difficulties,” their report stated, “it is a peculiar kind of priority which would provide $85 million for an ineffective highway beautification program.”

The immediate assumption at the White House was that the beautification bill would come to the floor of the House in late October. Mrs. Johnson asked H. Barefoot Sanders, the aide who was now handling the legislation, for a list of congressmen to whom she could send information about her program when the bill was being debated. Then the administration realized that prospects for the program were bleak. Lowell Bridwell predicted that if the House were to turn down the legislation to authorize funding, it would be impossible to secure any additional agreements with the states on billboard control. On the other hand, Bridwell argued, waiting until 1968 to ask for authorization legislation would give additional time to conclude agreements with the states. “If we can sign up enough states, it will present Congress with a fait accompli and lessen the opposition to the continuation of the program.” With the 1968 appropriation, the implementation of beautification could move along to finish projects that had already been started and to plan for the future.

Barefoot Sanders had equally gloomy news after his soundings on the Hill. Neither Kluczynski nor the House Democratic leadership wanted to bring the bill to the floor. “The fact is that we do not have the votes in hand or in sight to pass the bill,” Sanders told Lyndon Johnson. “We cannot count on any Republican support. We are so far away from having a majority that considering the economy mood of the House and the increasing pressure for adjournment we would lose the bill on the floor.” President Johnson showed Sanders’s memo to his wife and said to her, “I think that is right—we ought to wait until next year then get all the members down here.” That decision, which she accepted, meant that the trust-fund measure languished in the Rules Committee until Congress adjourned, went home for the year, and came back in 1968.

When Congress reconvened, the predicament over highway beautification had not changed in any fundamental way. The trust-fund proposal still had no chance of emerging from the Rules Committee. President Johnson set up a meeting in late February “to discuss Highway Beautification, whether and when to run with it, possibilities of compromise, etc.” Sharon Francis, Liz Carpenter, and Cynthia Wilson took part in the meeting, and a decision seems to have been made to have Carpenter touch base with the congressmen whom she had seen about highway beauty in 1965. In mid March she spent an hour with George Mahon, who advised her to “forget ’68 and struggle along with what we’ve got.”
For the succeeding two years the administration should “have a reasonable item for beauty in the overall highway authorization act. Word it in the most palatable way.” Mahon added: “Mrs. Johnson’s program has waked up a lot of people to start thinking about it. When Helen and I drive through the country, those junkyards and billboards really are eyesores much more. I have learned the difference in how great it is to drive in from Dulles with no billboards and drive on many of our roadways.” Finally, Carpenter reported that Mahon thought “the billboard bills are not as tough as they once were and he feels they think they have something they can live with.” Mahon’s language reflected a shrewd assessment of the political climate about billboards that the Johnson administration was facing in 1968. It also underscored how little real support for billboard control the First Lady could expect.

To the men in Congress and in the White House for whom highway beautification was only a nagging issue and not a cause, fighting for the program had less appeal than seeking a compromise resolution. At about the time that Carpenter was making plans to see Mahon, Congressman Carl B. Albert, an Oklahoma Democrat, was asking Barefoot Sanders “to come up with the minimum possible figure on which Highway Beautification could exist—not live, but just exist.” In instructing an associate to find an answer to Albert’s question, Sanders said: “I would prefer that you ascertain this without going to Liz Carpenter and her group.” What this review revealed is not known, but there is some evidence that Sanders and his aides concluded that they could get along with a much-lower figure than the $85 million that was before Congress. In any case, the House was likely to trim the figure, especially if Cramer and his allies had their way. This action demonstrated once again that when Lady Bird Johnson looked beyond her husband for support on highway beautification, she could count on few men in the White House to give her enthusiastic backing.

The prospects for Lady Bird Johnson’s program dimmed further when the conservationists’ criticism of the 1965 law increased. In April 1968 the Washington State Roadside Council labeled the act “a fraud on the public expectations” and said that it was “moribund and of little positive value.” In early June the California Roadside Council, “after some real agony,” decided to join its Washington counterpart in seeking the repeal of the mandatory-compensation provision even if it meant the defeat of the whole program. “We all continue to be deeply grateful to Mrs. Johnson for the impetus she gave to this movement,” Helen Reynolds said to Sharon Francis; “it will go foward eventually and on the national level she was the pioneer.” The White House once again confronted
solid opposition on Capitol Hill but with no help from its potential allies on the environmental side of the issue.

The trust-fund measure remained stalled in committee, and the future of highway beautification was contained in the Federal-Aid Highway Act of 1968, in which the administration got very little of what it wanted. At Cramer’s behest in mid June, the Roads Subcommittee authorized only $1.25 million a year for the next three years. States were prohibited from setting higher standards for billboard control than were applied at the federal level. The subcommittee also removed the authority that had been granted to the secretary of transportation two years earlier to consider alternative routes for freeways that threatened parks, wildlife areas, or historic sites. The full committee restored the beautification funds the next day, but the $8.5 million that they authorized was only 10 percent of what the White House had sought. “The situation is fluid,” Sharon Francis told Lady Bird Johnson, but assured her that “all possible effort is being made.”

The full House prepared to debate the bill on July 1. The aide who was handling Congress reported to Barefoot Sanders that Cramer was going to offer an amendment to eliminate all funding for beautification beyond the $1.25 million that would cover administrative costs. The White House would be fortunate to defeat Cramer; there was little chance of increasing the authorization. Sanders told Lady Bird Johnson on June 29 that he was “pessimistic about our chances of beating the Cramer amendment” in the House. The best hope was the conference committee and Senator Randolph. The idea was tested of giving Randolph what he wanted on a bridge in West Virginia in return for placing highway beautification on the priority list in the House-Senate conference. This trade-off would imperil a section of the bill involving increased construction on the Interstate Highway System in Cramer’s district, which was “of life and death importance to him.”

First, the House had to act, and the debate on the highway bill spanned the first three days of July 1968. Cramer offered his amendment on July 3. He would leave in the money for administrative expenses and would require the Department of Transportation to report on beautification by January 1969. Otherwise, all funding would be dropped, along with the 10 percent penalty for states that were not in compliance. “No one would claim that beautification is a high priority item,” Cramer said; “certainly we will not accomplish beautification by this means.” The only defense of the program came from Jim Wright of Texas. He noted that the full committee had made a 90 percent cut in the money author-
ized. "The Committee asks 'How much more blood do you demand?' And the opposition replies 'We want it all.'"^{55}

Wright noted that beautification had been labeled a "frivolous frill and a woman's whim. Facetious comment has referred to it as 'Lady Bird's bill.'" Wright then asserted, on the First Lady's behalf, that she "has never coveted a personal spotlight. She has not sought the glitter and glamor of public applause. She has not presumed to set new styles either in the world of fashion or in political ideology." Accordingly, Wright concluded, her legacy should be preserved. "Let us not snuff the very life from this laudable effort by hasty action." Despite Wright's pleas, the House adopted Cramer's amendments by a recorded vote of 92 to 54 and then reaffirmed its decision on a roll-call vote of 211 to 145.\(^6\)

"As you know, Cramer scuttled the Highway Beauty bill," Francis and Carpenter reported to Lady Bird Johnson, "and our best hope is to get the conferees to stick close to the Senate version." To that end, they asked her to "give encouraging pep talks to" Boyd and Randolph. Fred Farr also sought her help to delete the language that eliminated the 10 percent penalty and allowed states to define what constituted an unzoned commercial area.\(^57\)

Two other issues that complicated the fate of the highway measure had a direct connection to the legislative prospects of the section on beautification. In the 1966 law that created the Department of Transportation, section 4.f of the law had instructed the secretary not to approve projects that required the use of land in any park, recreation area, wildlife or waterfowl refuge, or historic site unless there was "no feasible or prudent alternative to the use of such land" and unless efforts to find alternatives had been unsuccessful. In the 1968 federal-aid bill, the House had added language to restrict the authority of the secretary to a consideration of alternatives and to planning to minimize the effects of harm to sites where road construction was to occur. Boyd was regarded as "anti-highway" because he invoked section 4.f to question projects that members of Congress favored. The House included an amendment, which Cramer offered, to confine the secretary's authority to federal parklands alone.\(^58\)

The other hot issue had to do with a controversial project in Washington, D.C., itself. The Three Sisters are small islands in the Potomac River where Georgetown and Virginia meet. The District of Columbia Highway Department and the Virginia Highway Department wanted to build a bridge across the Potomac at that point to link traffic from Washington with freeways in Virginia. The proposed bridge had been a source of public dispute since it had first been offered as part of the District's freeway system in the 1950s. Passions surrounding the
Three Sisters had intensified by the middle of the 1960s. The bridge would be built across parkland on both sides of the Potomac, and the highways that ran from it would move through the heavily black areas of Washington. By 1968 the bridge had become a symbol of the argument between the proponents of freeways and an opposition that emphasized aesthetic and environmental issues as well as the social consequences that highways had on neighborhoods and inner-city communities.59

Secretary Boyd opposed the Three Sisters Bridge during 1966 and 1967, thereby incurring the anger of Kluczynski and Cramer, as well as the majority of the Public Works Committee in the House. Cramer denounced “the master planners, who feel you can force the vast majority of commuters out of their automobiles and onto the mass transit.” Boyd countered that the Washington freeway routes would interrupt commercial activity and would increase traffic through the city’s core. “The net effect of these two factors,” he told the committee in December 1967, “makes it unwise at this time to construct the Three Sisters Bridge at its planned location.” During the first half of 1968, despite growing citizen opposition in the District, the House members worked on a bill to compel the construction of the Three Sisters Bridge. Rather than reporting the measure out as a separate item, however, the project was attached to the larger federal-aid bill, which would be much harder to defeat in a presidential-election year.60

The more complex issue of locating freeway routes and how they would be designed, which the Three Sisters Bridge represented, had been one that Lady Bird Johnson had encountered with growing frequency as her beautification campaign had developed. In April 1965, Sharon Francis told Liz Carpenter about the letters that the First Lady was receiving “from citizens who are disturbed and shocked by proposed route locations that are destroying irreplaceable parks and spots of natural beauty.” Carpenter sent copies of the letters to Rex Whitton of the Bureau of Public Roads. He assured her “that we are keenly aware of and give careful attention to each of the kinds of problems” that were raised. But Whitton also contended that freeways were the best means of moving large numbers of people in the affected areas. Lady Bird Johnson could not openly challenge an agency of her husband’s administration, and the responses that she had sent out to members of the public in 1965 and 1966 reflected her endeavor to be sympathetic to the concern about freeway construction without criticizing the politically powerful highway establishment.61

This awkward balancing act sometimes brought embarrassment to Lady Bird Johnson. When residents of Mount Kisco, New York, wrote to her to complain about the proposed route of Interstate 87, she sent back
a general letter that spoke of the hope, which she and the president shared, “that America’s highways can enhance the beauty of our landscapes and can be planned with full and sensitive consideration of all natural values.” When her letter was read aloud at a meeting of local citizens in early January 1966, the audience laughed derisively. “It was a slap in the face” to the concerned residents. Elizabeth Rowe sent Mrs. Johnson a clipping from the New York Times about the incident and cautioned her friend not to let the beautification program “become the apologist for freeways.” Rowe cited the Three Sisters Bridge as a case in point of a controversial project.62

The effect of this experience with the New Yorkers showed up a week later at the 19 January 1966 meeting of the First Lady’s Committee, when she discussed the selection of highway routes with landscape architect Ian McHarg. She arranged appointments for McHarg with Rex Whitton and Alan Boyd to look at possible routes for Highway 95 on the East Coast, as well as the larger dimensions of the problem. Her talks with McHarg and others, their conversations with Sharon Francis, and the ideas of Fred Farr—all helped to shape the speech that Mrs. Johnson gave to the national convention of the American Road Builders in Denver on 23 February 1966. She praised their accomplishments in constructing the Interstate Highway System, but she told them that “we must also weigh in the social and esthetic values of the routing” of highways. “What a tragedy it will be if we do not make our highways instruments of beauty as well as convenience in the vast construction program which lies ahead of us.”63

The highway-location issue continued to call forth large amounts of mail to the First Lady over the next several years. Residents of New Orleans, San Antonio, and numerous other cities in which freeways were being built wrote to seek her assistance. She tried to prod the Bureau of Roads to a greater awareness of the issue by supporting Congress’s efforts in 1966 to have parks and historic sites spared in Interstate-highway construction. “Changing the course of history—or of a bureaucracy—is something akin to nudging a steamship in midocean,” Sharon Francis wrote in early 1967. Mrs. Johnson and her husband knew that Alan Boyd, the incoming secretary of transportation, would place a greater emphasis, in his decisions, on aesthetic issues than had been true for past policy makers. Flying over the New Jersey highway system in 1967, Lady Bird Johnson commented that “freeways are efficient, they get you where you are going in a hurry. But we are just now beginning to do something about the esthetic values of highways.”64

Sharon Francis alerted the First Lady to the nature of the Three Sisters battle even before the federal-aid highway bill had reached the stage of
Lady Bird Johnson talks with Senator Jennings Randolph (left) and Louis W. Prentiss (right) at the meeting of the American Road Builders Association in Denver, Colorado, on 23 February 1966.

congressional floor action in the spring and summer of 1968. A decision to build the bridge, she told Mrs. Johnson in February 1968, “could materially undo much of the good you have done in your efforts to add amenity to the parks and open spaces of the city, and generally improve the urban environment.” The issue, Francis wrote, had become “a national test case” on both sides of the highway question. That situation had not changed by the summer of 1968, as the question of the attitude
of the White House toward these interrelated aspects of the highway bill became central to the outcome on Capitol Hill.\(^6^5\)

The administration had to be unyielding on the issue of section 4.f to retain conservationist support, and it had to endorse Alan Boyd’s position on Three Sisters for the same reason. If there were faltering on either matter, then any prospect of help from the probeauty groups on the billboard issue would vanish. “Our best position is really to stand firm with the Senate enactment,” Francis and Carpenter informed the First Lady on 10 July 1968. The Senate had passed its version by the time the House acted, and the two versions would be before a conference committee during the rest of July. For lobbying purposes, Lady Bird Johnson obtained a list of how the House vote had gone on the Cramer amendment. Changing minds would not be easy. As Republican Senator John Sherman Cooper of Kentucky told his colleagues, the bill that the House presented to the conference “was more anticonservationist than any other bill I have seen come before this body.”\(^6^6\)

The antibeautification attitudes of the House members shaped the negotiations over the conference report. On July 24, House conferees submitted a package to their Senate counterparts. Billboard control would get $2 million, junkyard control would receive $3 million, and the improvement of scenic highways would be allocated $20 million. That was a distinct improvement over the $8.5 million that the House Public Works Committee had originally recommended and, of course, was far better than Cramer’s killer amendment. It was still $60 million less than the administration had sought at first. In place of the 10 percent penalty for not removing billboards, states would receive a bonus for compliance. The amendment limiting the power of the secretary of transportation over parkland would be dropped. The proposal represented some slight change in the House position, but it was still not as acceptable to the White House as the Senate version was.\(^6^7\)

Lady Bird Johnson was as much involved in the 1968 struggle as she had been during the autumn of 1965. Ed Edmondson, an Oklahoma Democrat, informed her about the nature of the House package, and she passed on the news to her husband. Lyndon Johnson and Jim Wright talked on July 24 and agreed that the House would accept the retention of the 10 percent penalty clause and would also give in on the parkland amendment. The Senate would yield to the House language about what would be considered “customary use” in the size, lighting, and spacing of billboards. Wright and President Johnson also worked out that the Senate would vote first, “so that the House will be faced with an up or down vote on the entire Conference Report.” If the House were to vote first, the Republicans could move to recommit the bill with
instructions that the beautification provisions be removed. As Barefoot Sanders admitted, “We would lose in the House a separate vote on beautification.”

They almost lost it anyway. The House debated the conference report on 26 July 1968, before the Senate had acted. Samuel Stratton of New York, a Democrat, moved to recommit the bill, with instructions to delete all the beautification funding that the conference report contained. “Sam came out of nowhere on this one,” Barefoot Sanders told Lyndon Johnson, and the Speaker and Carl Albert had to change “votes in the well after the rollcall was finished” in order to defeat Stratton’s motion. The vote was 166 in favor and 167 opposed. The House then adopted the conference report, and the Senate took similar action three days later, by a vote of 60 to 6.

As passed, the Federal-Aid Highway Act crippled the authority of the secretary of transportation over parklands in the building of highways, the billboard-control program was “virtually extinguished,” and the Three Sisters Bridge and other District of Columbia highway projects were mandated to begin within thirty days. It was, said Senator Joseph Clark of Pennsylvania, “a significant victory for the uglifiers.” Stewart Udall added bitterly that “most Congressmen don’t give a damn about conservation values.”

The question now became whether President Johnson should sign the bill, veto it, or let it fail through a pocket veto if Congress adjourned. In a presidential-election year, a veto would have an obvious negative impact on the fortunes of Democratic congressional candidates. The Three Sisters Bridge was a critical element in the deliberations, as opposition to it intensified within the District. Yet, on the other side, there was the money that the beautification section contained, as well as the scant prospect that Congress would appropriate funds for the program under any other circumstances. Stewart Udall recommended, in a stinging memorandum, that the bill be vetoed. It was “an arrogant, calculated effort to undermine critical conservation victories achieved during your Administration,” and he asked, “Why should we accept a further weakening of billboard control?”

Liz Carpenter countered that since both of the Johnsons had asked House members, and particularly Jim Wright, to support the bill, it would be politically difficult to justify a veto. Lady Bird Johnson was undecided in her own mind about the merits of stopping the bill. On August 1 she called the measure “a mother hubbard, with many things thrown in. The beautification advantages may not be worth the disadvantages. We are weighing . . . .” Later she remarked: “Politics be damned, we don’t owe anybody anything.” Her political compass then balanced
itself, and she asked, given the overwhelming Senate vote, whether a veto could even be sustained.72

Jennings Randolph made a particular effort to have the bill signed. He wrote to President Johnson on July 31 that the measure was “the most socially progressive highway legislation we have enacted during my tenure in the Senate.” Three weeks later, with the issue still not resolved, Randolph called the White House just before he left for the Democratic National Convention. Urging that the bill be accepted, he warned “that if the Highway Bill is vetoed, there will never again be another beautification program.” Randolph was confident, however, that he could “keep beautification alive in the years to come.” On August 22 he called Mrs. Johnson, and he had a “pleasant and understanding conversation” about the bill and its prospects with the president.73

In a letter that followed up their talk, Randolph claimed that he “presumed” to counsel with her because of their shared and “very genuine concern” about “responsible and necessary highway legislation at this time.” The bill contained “the desirable beautification program to which you have given stimulating and effective leadership,” and the program would continue “intact and without damaging modification because you had earlier made the importance of this program clear to me.” Having evoked his responsibility for having preserved her interest in the bill, Randolph then outlined the reasons why he believed the bill should be signed. He cited the provisions for relocating those whom highways displaced, the equal-employment-opportunity section, additional aid for cities, and the inclusion of highway construction workers under the Davis-Bacon Act. He also stressed his approval of the language relating to parklands and the District of Columbia. Randolph ended his letter with the claim that the highway bill was “a real contribution to the improvement of the environment in which our people live and work.”74

In the end, Lyndon Johnson decided to sign the bill. His aide Joseph Califano convinced Johnson that he could approve the bill and still frustrate Congress’s effort to compel the immediate construction of the Three Sisters Bridge and other highway projects in the District. In his statement about his decision to sign, Johnson stressed the language in the law that mandated public hearings before construction could occur. He instructed Secretary Boyd to assemble the interested parties and to develop a comprehensive highway plan for the Washington area. He also noted that the bill diluted billboard control and reduced the protection of parklands. Lady Bird Johnson later told Sharon Francis that she, “while not trying to make the decision for him, had been sympathetic toward those people who were urging him to veto it until this legalism was found
that she and he both felt got around the biggest problem, which was
the District of Columbia problem.” Mrs. Johnson’s comments suggest
that she accepted implicitly Senator Randolph’s contention regarding
the likelihood that highway beautification would not survive a veto.75

Despite the congressional directives in the 1968 Highway Act, the Three
Sisters Bridge was never built. When construction began in 1969,
demonstrators battled police amid shouts of “Smash the bridge” and
“Free D.C.” Ten more years passed before the Potomac project was aban­
doned and plans for Three Sisters were scrapped. In July 1985 a private
developer began the demolition of the six-block elevated roadway that
was the only part of the proposed freeway that was ever finished.76

After the signing of the 1968 Highway Act, Lady Bird Johnson’s for­
mal involvement, as First Lady, with highway beautification and billboard
control came to an end. In the four and a half months that remained
to her in the White House, the issue did not again become a public one.
When she resumed her interest in highways in Texas later in 1969, she
decided to sponsor an annual series of beautification awards to members
of the Texas Highway Department. Given each fall at the LBJ State Park,
the awards recognize the use of wild flowers, roadside parks, and the
maintenance of roadside plants and shrubs that were installed as part
of the scenic enhancement of the 1965 law. Looking back on the awards
program in 1980, she hoped that it had “helped to make preservation
and propagation of our natural assets an ongoing aim—happening natur­
ally in the course of a day’s work.” The spirit of these occasions—relaxed,
informal, and good-humored—suggested that she had accomplished much
of her aim in establishing the awards.77

The record of the Highway Beautification Act itself during the two
decades since 1969 is a less inspiring story. The landscaping and scenic­
improvement section was not intrinsically controversial, so it went for­
ward with reasonable progress except as it related to billboard control.
The effort to screen junkyards achieved more modest results. In 1979
the Department of Transportation reported that 2,345 nonconforming
junkyards had either been removed or screened and that 1,055 illegal
junkyards had been removed. Still, the department estimated that as many
as 10,608 nonconforming junkyards still required governmental action.78

Billboard control evoked the most controversy. By the 1980s, however,
the ideological positions on the subject had been reversed. The outdoor­
advertising industry was defending the Highway Beautification Act, and
environmentalists were opposing it as being ineffective and weighted
toward the business it was supposed to regulate. Senator Robert Staf­
ford, a Republican from Vermont, said in early 1985 that “with the
stranglehold the billboard industry has on the Highway Beautification
Act, we would be better off without it.” From 1969 to 1978, the money that was allocated to the billboard-control program had gradually increased after the cutbacks of the late 1960s, reaching a high of $26,694,000 in 1976. In 1971 the first billboard, located in Maine, was removed after compensation had been paid. By 1978, 30 percent of all nonconforming signs had been removed at a total expenditure of $107.5 million. Estimates of the amount needed to complete the program varied between $500 million and $800 million. Critics contended that levels of available funding would bring an end to the program in more than one hundred years.79

In addition to the slow progress in removing billboards, the environmentalists argued that the law was further crippled because of continuing loopholes in defining what constituted commercial and industrial areas and because of weaknesses in the regulatory process itself. Those billboards that did not conform to federal guidelines did not lose their value over time. They were repaired and upgraded in a way that made the payment of compensation a heavier, rather than a decreasing, cost. In some states, such as Georgia, billboard owners were authorized to cut down trees along the highways if the trees blocked the billboards from view. Mandatory compensation remained the most debilitating feature of the law, and in 1978, Congress, as friendly to billboards as ever, amended the provision to require compensations payments for signs that were removed under local ordinances or laws. “The effect of the act,” said one leading proponent of billboard control, “has been to halt sign removal programs which local governments wish to undertake.”80

After 1978, funding for the billboard program declined in response to the budgetary stringencies of the Carter and Reagan era. “Of course I regret the omission of highway beautification funds from the budget,” Lady Bird Johnson said in 1979, “but I do understand the urgency of curtailing all possible spending in order to hold down inflation.” In her experience, she added: “There are troughs and crests in the establishment of many programs. If the majority of citizens want the beauty of landscaped highways where scenery is not obscured by billboards or blight, I firmly believe we can continue toward that goal although we may be delayed in its realization.” The question, in fact, was whether citizens were any longer enough concerned with billboard control, as an aspect of highway beautification, to overcome the power of the outdoor-advertising industry. In 1979, a former staff aide to Senator Stafford concluded: “It is not something that captures the imagination of the American public.”81

That seemed to be the verdict as far as federal legislation was concerned by the mid 1980s. Such groups as the Coalition for Scenic Beauty as-
sailed the 1965 law as a failure, and the Outdoor Advertising Association labeled it a law that the industry could live with. In cities around the nation, however, there were indications of renewed local campaigns against outdoor advertising. Segments of the business sector found that billboard-lined avenues put off prospective corporate executives as they rode from airports to interviews. Municipal laws placed restrictions on the number of signs that could be displayed within the city limits and sought the removal of notable offenders. The next phase of the billboard battle, environmentalists asserted, was likely to be fought in individual cities in separate campaigns, while the 1965 Highway Beautification Act was either being ignored or criticized. Billboard control had come full circle, back to the City Beautiful impulse of the turn of the century.82

Events in 1986 and 1987 seemed to confirm that action against billboards would have to come at the local level if it came at all. A strong effort was made in the Federal Aid Highway Act of 1986 to change the just-compensation provision of the 1965 law and to remove the 1978 amendment affecting local signs. Advocates of the proposal received a telegram from Lady Bird Johnson and Laurance Rockefeller in September 1986, seconding their efforts. “We encourage your support of this reform,” the wire said, “which is needed to restore the scenic beauty of our Nation’s highways.” When the amendment came to the floor of the Senate on 3 February 1987, the president of the OAAA was watching from the members’ gallery. His organization had contributed $350,000 in campaign funds and honoraria to members of Congress between 1983 and 1985. The amendment was soundly beaten by a vote of 57 to 40. The alignment of pro-billboard forces that Lady Bird Johnson had confronted in the 1960s remained intact and powerful.83

How much responsibility did Lady Bird Johnson and Lyndon Johnson bear for the troubled early years of highway beautification? Would a different approach to the issue between 1965 and 1968 have been more productive? The key problem was the “just compensation” section of the 1965 law, and the most enthusiastic advocates of billboard control recognized during the Johnson years that the repeal of that provision had no hope for success in Congress. The choice was either no regulation at all or the enforcement of the 1965 law. From 1966 to 20 January 1969, Lady Bird Johnson sustained the highway-beautification program with her personal commitment and influence. No one in the government who was in a position of authority cared as much about it as she did, and no one with power gave it as much backing as she gave it. Her efforts, as well as her influence on her husband, prevented the program from disappearing in a Congress that was angry over the Vietnam War and was determined to cut back on social programs. Lady Bird Johnson
was the essential element, the catalyst, that kept highway beautification alive as an administration program during the 1960s.

Had she done nothing about highway beautification as First Lady, the issue would probably have sputtered along in the rear of environmental questions. Instead, the Highway Beautification Act of 1965 made the problem a matter of continuing public debate. For all the faults of the law that was associated with her name, Lady Bird Johnson deserves credit for her part as a catalyst and stimulant in making highway beauty and billboard control enduring aspects of the effort to improve the national landscape.