

Mr. BRIDWELL. That is right.

Mr. CLEVELAND. I do not care what you call it, you cannot change that particular thing.

Mr. BRIDWELL. That is correct.

Secretary BOYD. That is correct.

Mr. CLEVELAND. That is the point I am trying to make.

Mr. BRIDWELL. But it was not upon the recommendation of the administration, Mr. Cleveland.

Secretary BOYD. That is the point we are trying to make.

Mr. CLEVELAND. Now, another question. I understood you to say, Mr. Bridwell, that you have not yet said that any State was in noncompliance, vis-a-vis this billboard and beautification situation. Did I understand you correctly?

Secretary BOYD. That is correct, sir.

Mr. CLEVELAND. Then I understood you further to say—I think Mr. Bridwell said this—that some of these States have simply passed laws, which zoned everything on the interstate commercial; thereby, people could put up signs anywhere on the Interstate in those particular States. I think you said, Mr. Bridwell, that you considered that a clear violation of the law or intent of this committee.

Secretary BOYD. Yes, sir. He did.

Mr. CLEVELAND. Well, then, if that is the case, those States on the record we have here would be in violation of the beautification law?

Secretary BOYD. Well, what Mr. Bridwell indicated, and I support, is that we have not yet reached the stage on contract negotiations where the elements of a particular State law have intruded to the extent that we cannot reach agreement.

Mr. BRIDWELL. I think I can clarify it in this way, if I may. In those instances, such as the one particular one I cited that we do not believe is in conformance with the Federal law and the intent of this committee as clarified, as I mentioned before, we are attempting to negotiate an agreement with the appropriate State authority with a clause contained therein that it is subject to implementation by the State legislature; thereby giving the State authority—in this instance, the highway department—the opportunity to go back to the legislature and say, “Under your first enactment, we simply cannot arrive at an agreement. We have, however, arrived at an agreement which we think is fair and appropriate. We are now recommending new legislation to implement the agreement.”

This, to me, is a far preferable way to operate than to simply tell a State, “Your State law does not meet Federal standards, therefore you are out.”

Mr. CLEVELAND. I understand that. I also want to make the point, some of us predicted at the time the beautification bill was being debated here in this committee and on the floor of the House that there was this loophole in the law, and I think that those States that do pass laws that zone all the lands along the interstate right-of-way have found the loophole and are acting perfectly properly and acting perfectly legally.

You may find they have violated your intent and perhaps the intent of some people, but the loophole was there; it was predicted when we debated this legislation.