

EXTENSIONS OF REMARKS

VIEWS AND RECOMMENDATIONS
CONCERNING EXTENSION OF SECTION 8 OF FEDERAL WATER POLLUTION CONTROL ACT

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Wednesday, October 7, 1970

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks material relating to legislation proposed to amend and extend section 8 of the Federal Water Pollution Control Act, to finance the construction of waste treatment facilities.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, D.C., October 7, 1970.

Hon. EDMUND S. MUSKIE,
Chairman, Subcommittee on Air and Water Pollution, Senate Committee on Public Works, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: We are writing to express our views and to make recommendations with regard to legislation proposed to amend and extend Section 8 of the Federal Water Pollution Control Act, to finance the construction of waste treatment facilities.

I. THE NATIONAL NEED

Various estimates have been made to establish the need for facilities to clean up our waters:

A. *State Investment Intentions*, as of December 31, 1969:

This estimate, issued by the Department of the Interior early this year, totals \$10.2 billion for a five-year period, 1970-1974 (See Enclosure 1.) The Department has since defined this total as the "need" to "close the gap" over a four-year period. On the basis of this estimate the Department proposed legislation for Federal commitments of \$4 billion and State/Local commitments of \$6 billion.

Comments: It should be noted that these figures are probably understated, since investment intentions have little relationship to need. The figures on "intentions" submitted by the States were based upon a number of factors, including:

(1) The amount of funds the States estimated would be available to finance the Federal share of the costs;

(2) The amounts States were willing to prefinance for the Federal government, in view of the then-estimated shortage of Federal funds.

States which could not, or would not for one reason or another, prefinance any portion of the Federal share, obviously pegged their "intentions" to the Federal funds they believed would be available to share in the cost of the projects.

Other States pegged their "intentions" on the amounts they estimated they would have available to prefinance for the Federal government. We will explain later that many States have now halted or slowed down their efforts to prefinance any portion of the Federal share of the cost.

(3) Willingness of the States to provide a basic grant to their municipalities to assist them in financing their systems.

As of September 10, 1970, only 16 States and the four Territories had active matching grant programs, thus making them eligible for the maximum of 50/55 percent Federal grants (see Enclosure 2).

Without State matching programs, the Federal share is limited to 30/33 percent of the cost.

A dozen or so other states are now taking the necessary steps to provide matching grants, as indicated in Enclosure 2. If the FWQA approves these plans, those states will also be eligible for 50/55 percent Federal funds.

Meanwhile, in the past three fiscal years, only 174 projects have been financed at the 50/55 percent level, out of a total of 2,650 grants approved for those years through June 30, 1970. (see Enclosure 2).

(4) Inflationary costs of treatment facilities: In estimating costs the Administration used the post-war period average rate of 3.5 percent a year increase. Since costs for these facilities are increasing at the rate of 12 percent a year in the Northeastern states, we believe it would be more realistic to use the average increase since 1966, when the truly "national" cleanup program got under way.

B. *National League of Cities and U.S. Conference of Mayors:*

As you know, these organizations estimated in July that between \$33 billion and \$37 billion would be needed over a 6-year period. The estimate, however, included such things as separation of storm and sanitary sewers, which are not eligible for Federal assistance under the current Act.

At the same time, the estimate did not include funds prefinanced by the States and their municipalities. The total committed for prefinancing by December 31, 1969 was \$74 million, and this had increased to \$1.34 billion by June 30, 1970.

If this rate of increase continues, a total of approximately \$3 billion will have been prefinanced by June 30, 1971, and this figure should surely be included in the total "need."

To provide Federal funds for 50 percent of the average of the NLC estimate would require \$3 billion a year for six years, plus a commitment to reimburse about \$3 billion that will have been prefinanced by June 30, 1971.

II. NEEDS OF SELECTED STATES

A. *New York State:*

New York has projected a \$1.5 billion program for fiscal year 1971. Since the State is eligible for 55 percent financing from the Federal government, the State's requirement for Federal funds for this year alone is \$825 million.

In addition, the State's prefinancing commitments through June 30, 1970, totaled \$775 million, to bring the total Federal funds required by next July 1 to \$1.6 billion.

The Federal funds that will be available, however, are estimated at \$182 million (see Enclosure 5.)

For the future, the State's needs will be based upon such things as rising costs due to higher treatment requirements in many locations, i.e., tertiary treatment for oxygen demanding substances and nutrient removal, inflation, the inclusion of separation of storm and sanitary sewers as an "eligible" cost, and so on.

B. *Maryland, Virginia, and the District of Columbia:*

On September 18 the Federal Water Quality Administration approved a \$530 million expansion of the Blue Plains plant, which is the principal facility serving the Washington Metropolitan Area. A promise was made that 55 percent of the cost would be provided by the Federal government if Maryland, Virginia, and the District of Columbia could provide their 45 percent share of the costs.

The Federal share of \$291.5 million, or 55 percent of the cost of the project, must come from FWQA allocations to Maryland, Virginia

and the District of Columbia. Yet, Federal funds available through next June 30 to those three jurisdictions total only \$65.5 million. (Enclosure 6 gives a breakdown of the allocations to the three jurisdictions.)

Even if the three jurisdictions agree to commit their entire Federal allocations of \$65.5 million to the project, this is only 12.2 percent of the cost, rather than 55 percent for which the project is eligible. Therefore, the only avenue the three jurisdictions can take if they wish to go ahead with the improvement of the Blue Plains plant is to agree to prefinance the remaining 42.8 percent of the cost for the Federal government, or \$236 million, along with \$238.5 million for the "local" share of 45 percent. This is a total of \$465 million that must be raised by the three jurisdictions through high-cost municipal bond issues.

Their alternative is to postpone upgrading of the plant for several years until adequate resources are available to finance it.

C. OTHER STATES

In July of each year the States are required to submit for FWQA approval its plans for the current fiscal year.

We have requested a tabulation of these plans and will advise you as soon as it is available.

Meanwhile, we believe the example we have cited above could probably be repeated many times in most of the other States.

III. METHODS OF FEDERAL FINANCING

The proposal in the Administration bill, S. 3472, would enable the Federal government to enter into "grant agreements" with municipalities. This is a landmark approach, and we strongly favor its adoption.

Fixed authority to enter into "grant agreements" will provide assurances to municipalities they will be able to move ahead at a steady pace with their projects, and will enable States to plan their programs much earlier than under the present system. Most importantly, this proposal would assure that financing would be available for the amounts authorized each year.

Because of the long lead-time between obligations and expenditures, funds committed for waste treatment works would have little effect on current inflationary trends.

We believe Congress is prepared to accept the principle of "grant commitment" authority to finance construction of anti-pollution projects. This was evidenced by a recent House vote of 327 to 16 to provide \$3.1 billion for grant commitments for urban mass transit over the next five years.

Such authority would be a tremendous breakthrough in relieving the uncertainties that surround the present method of financing, which makes long-range planning nearly impossible.

Finally, we believe it is politically unrealistic to expect a State to project its "needs" over a number of years if the means of financing those needs remain so uncertain. Indeed, the uncertainty over Federal funds tends to inhibit the States from projecting their true needs for longer than the immediate future.

Recommendation.—We recommend authorizations for contract authority consistent with future needs, and the ability of the States to effectively use the money to achieve the best and most efficient results.

IV. APPROPRIATIONS, AND THE EFFORTS OF THE STATES

Although Congress appropriated \$800 million for fiscal year 1970, only \$214 million was originally allocated to the States. It was not until February of this year that the balance of \$586 million was allocated to the States.

Assistant Secretary Klein provided a table to Congress to show a total of only \$365 million had been granted by June 30, 1970 (see Enclosure 3). This table was used to reflect the "poor showing" by the States, and as "proof" that no more than \$1 billion could be used in fiscal year 1971.

No mention was made that over two-thirds of the allocation had been available for only four months, leaving insufficient lead-time for the States to process applications for FWQA approval by June 30.

Secretary Klein provided another table, indicating on June 30 there were 524 applications being processed by the FWQA, with a total grant entitlement of \$344 million (see Enclosure 9.) However, no explanation is given to indicate there is a vast difference between "grant entitlement" and the amount the actual Federal grant is to be.

For example, New York's grant entitlement is shown as \$103,371,860, or 55 percent of the cost. This is correct. But, since New York receives only an average of 7 percent of the cost from the Federal government, the actual grant anticipated by New York for these applications is \$13 million, and the State prefinances the balance of the "entitlement."

Similar calculations can be made for other states by using the "Grant Percentage Range of Awards," as shown in Enclosure 2.

Tables such as these, therefore, are practically worthless in attempting to determine the effort being made by the various states to resolve their pollution problems. It is a gross misrepresentation of the facts to provide such tables as these to Congress to prove the "poor showing" by the States, and to "prove" that not very much is really needed for the next year.

For example, we would like to review the effort that is being made by Connecticut:

The State's allocation for fiscal year 1970 was \$11,117,600, and a total of \$1,610,661 in Federal grants had been made by June 30, 1970. Indeed, this does appear to be a "poor showing."

But when a combination of tables is analyzed, we find the State had three applications pending FWQA approval on June 30. The total cost is \$9.5 million, and the grant entitlement is \$4.7 million.

It would therefore appear Connecticut had a balance of \$4.8 million from its Federal allotment for Fiscal year 1970 to help pay for additional facilities.

The actual situation in Connecticut is quite different, however. The Federal grant range used for projects in Connecticut is .4 to .93 percent, rather than 55 percent for which the State is eligible. To provide for the difference between the grant range and the eligibility of 55 percent, Connecticut prefinanced \$29 million for the Federal government between January 1 and June 30, 1970. This brings the Federal obligation for Connecticut's projects to approximately \$30 million, with the State and its municipalities paying their share of \$25 million. Connecticut's program thus was \$55 million in six months, and not a mere \$1.6 million.

Similar comparisons can be made to reflect the massive effort being made by other States. Many States have struggled to pay a large measure of the Federal share of the cost, and they have therefore moved ahead far more rapidly than these tables indicate. It does a disservice to all parties involved to rely on tables that do not accurately reflect the true situation.

V. PREFINANCING/REIMBURSEMENT

We have already mentioned a number of problems encountered due to prefinancing by the States of a portion of the Federal government's share of the cost.

Seldom has any issue been more misunderstood or more subject to misinterpretation. It is an exceedingly complex mechanism, but without it—and the promise the Federal Government would honor its obligation—progress over the past four years would have been a fraction of the effort that has been made.

We believe, however, the time has now arrived when this process should be reviewed. No form of government—local, State or Federal—can make adequate plans for the future if they must deal with the uncertainties that exist with this authority.

It was not until September 18, when Assistant Secretary Klein finally responded to requests for figures showing the total prefinancing commitments by the States that a clear picture began to emerge to indicate the financing problem faced by the States is much more severe than we had been led to believe (see Enclosure 4.)

The total committed by 34 states and the District of Columbia by June 30, 1970 was \$1.34 billion. This is a 69 percent increase over the amounts that had been committed six months previously. If this rate continues, commitments will total nearly \$3 billion by June 30, 1971.

It appears a number of States are postponing many new projects until the full Federal share of the cost is available. An analysis of State totals for December 31, 1969 and June 30, 1970 (see Enclosure 7) indicates the following developments over the past six months:

1. 10 States have used current allotments to reduce their prefinancing commitments and eligible reimbursables by \$50 million.
2. 4 States have halted prefinancing, but had not at that time (June 30) used current allotments to reduce eligible reimbursables.
3. 5 States, while increasing their prefinancing commitments, had used current allotments to reduce eligible reimbursables.
4. 17 (16 States and the District of Columbia) have increased their prefinancing commitments. At the same time, their eligible reimbursables have increased.

Also, it is apparent several of these 17 States have "slowed down" considerably in their prefinancing efforts.

5. 18 (15 States and 3 Territories) have not prefinanced. They apparently are building only those facilities that can be financed with the full Federal share of the cost.

It should be readily apparent that many States have observed the experience of some of the large industrial States, such as New York, Connecticut, Maryland, Michigan, New Jersey and Ohio, to justify "no more prefinancing."

Consequently, there has been a massive slowdown in the National effort that could have been made. Many States are using current allotments to reduce prefinancing commitments, and to limit approval of new projects to those for which the full Federal share can be committed.

The experience of New York could be cited as justification for these and future delays. Although the lion's share of the National prefinancing debt is for commitments by New York, it is clear other States are or will soon face the same financing dilemma as New York.

To illustrate the dilemma New York faces, we are enclosing a table of New York's program commitments as planned through June 30, 1971, and the financing that has been approved for these commitments (see Enclosure 10.)

New York will have obligated by next June 30 nearly all the funds that have been authorized to meet its commitment of a 30 percent basic grant for all projects (\$988

million will be committed by June 30, 1971 from \$1 billion bond authority approved in 1965).

In addition, the State will be \$678 million in the red for underwriting a portion of the Federal share, for which \$715 million in "First Instance" authority was approved by the State Legislature last winter.

Consequently, New York will be unable to continue its anti-pollution program at its present pace unless there is a far larger Federal commitment to share the costs, both past and future.

As we understand legislation that has been proposed, however, New York and other States would be expected either to continue to prefinance a portion of the Federal share for an indefinite period, or to slow down its program to the level full Federal funding would permit.

The State's allocation for fiscal year 1971 is estimated at \$182 million (see Enclosure 5.) If the State stood absolutely still and did not approve a single new grant after June 30, 1970, and if allocations remain at the \$182 million level, it would take over four years' waiting for allocations adequate to fill its previous years' commitments of \$775 million prefinanced for the Federal government.

To an extent this same dilemma is already being faced by other States—whether to continue to prefinance with an oblique promise of reimbursement, to halt their progress entirely in order to "catch up" with their prefinancing commitments, or to slow down their programs and approve only those for which the full Federal share is available.

At the present rate of Federal funding (see Enclosure 5) it would take 3½ years for Connecticut to wait for adequate Federal allocations just to meet its prefinancing commitments, 12 years for the District of Columbia, 3 years for Maryland, 2½ years for Michigan, and nearly a year for New Jersey, Tennessee and Wisconsin.

To halt progress entirely or to slow down progress is an almost unthinkable course, but we must face the fact these courses are being taken or considered now by a number of States, as noted earlier.

And who can really fault them? While observing the Federal government payment of only 7 percent of the cost of cleaning up the Hudson River, if other States wait long enough the 21 other major rivers in the Nation will be cleaned up with the Federal government picking up 55 percent of the tab.

After passage of the 1966 Federal Act, which authorized grants up to 55 percent of the cost regardless of the size of the projects, cities were able to move ahead to resolve their pollution problems. New York and a few other states moved quickly on the assumption the Federal government would eventually pay its share of the costs.

New York voters approved a \$1 billion bond issue, under which a municipality qualifies for a 30 percent basic State grant, and the State in addition guarantees underwriting an additional 30 percent to prefinance the minimum Federal share. The municipality pays the balance of 40 percent, of which half or more is for underwriting the remainder of the Federal share.

Since it was obvious early this year that \$1 billion would be inadequate to finance both the State's basic grant and up to 30 percent for the Federal government, the New York State Legislature approved an additional \$750 million to underwrite the Federal government's share until such time as Federal payments are made.

In order for New York and a few other states to proceed over the past five years at the fastest possible rate with their anti-

pollution efforts, they found it necessary to spread the available supply of Federal funds over the greatest possible number of projects. As a result, Federal commitments for large projects in New York have been as low as one percent of the eligible cost. The remainder must be paid through borrowings at very high rates of interest.

As a result of this decision, New York State expects to win its anti-pollution battle by 1972 or 1973.

Prefinancing of the Federal share was a short-term expedient, with the long-range solution entirely dependent upon the Federal government honoring its commitment to pay its full share of the cost.

This commitment has not been honored, and as a result the debt to New York and its municipalities was \$775 million by June 30, 1970. This debt will increase to nearly \$1.5 billion by the end of the current fiscal year if New York carries out the program it has projected.

Huge debts are also owed to 34 other States, and these totals are shown in Enclosure 3.

The day of reckoning in New York is fast approaching. In addition to commitments by the State to underwrite a portion of the Federal share, as noted previously, New York's municipalities have committed \$403 million to underwrite the remaining portion of the Federal government's share. They must sell bonds to finance not only their own 15/20 percent share of the cost but also for 20/25 percent they have underwritten for the Federal government. The interest on the bonds to pay the Federal share will never be redeemed by the State or its municipalities. This is a considerable additional cost.

It is clear that methods proposed to reimburse the States and municipalities are entirely dependent upon Congressional appropriations. The outlook for adequate appropriations for this purpose is, we believe you will agree, quite uncertain and unpredictable.

When the Public Works appropriation bill for fiscal year 1971 was recently before the Senate, for example, we were advised that an amendment to provide an additional \$250 million for sewage treatment construction grants would be vetoed, since such an increase would mean an unacceptable increase in spending and thus contribute to inflation. Besides, we were told, because of the "poor showing" by the States for the previous year, additional funds were not needed. It was possible to refute this claim until we recently received the prefinancing figures from Secretary Klein.

Funds for these facilities are or will be spent at other levels of government. Consequently, the overall impact on the national economy of \$250 million to reimburse the States would have been minimal.

What is really at issue, it seems to us, is whether or not the Federal government will meet its obligation to pay not only the funds that have been prefinanced by the State and municipalities, but will meet its obligation to pay the full Federal share for projects in all the States. To do otherwise would slow down the anti-pollution efforts in the Nation to an unacceptable point.

We do not believe the taxpayers of New York, the New York State Legislature or the State Administration—which have approved such vast sums in the past—would agree to carrying the brunt of the Federal government's obligation beyond the present indebtedness.

If the State does not go deeper into debt, New York's antipollution effort would be reduced to one-eighth of its current rate, since Federal financing now provides only an average of 7 percent of the cost, whereas the

State is entitled to 55 percent under the Act.

The Public Works appropriation bill for fiscal year 1971 earmarks \$200 million for States having commitments to prefinance Federal funds or for those States in greatest need. Tables from the Federal Water Quality Administration indicate the allocation for New York will be \$111,660,000 (see Enclosure 5.)

It has been suggested the States use these additional funds for reimbursement of projects they have prefinanced for the Federal government. To do so, however, would only shift the debt from one place to another on the books, if construction of projects is to proceed and the States continue to prefinance a large portion of the Federal government's share of the cost.

New York, for example, plans to use these additional funds to increase the Federal commitment for the very large projects it has planned for this fiscal year, such as a \$395 million project in New York City, from one percent to perhaps five percent. The amount the State would be obliged to commit for prefinancing would be correspondingly decreased. (See Enclosure 10 for New York's Program commitments.) This plan will permit New York to carry out its \$1.5 billion program projected for fiscal year 1971.

RECOMMENDATIONS

We do not believe it is in the National interest to write legislation that would encourage States to slow their antipollution efforts.

We believe it would be in the National interest to abolish the present system of prefinancing, but only if it were replaced by the following:

1. Authority to commit Federal funds adequate to fulfill the full Federal obligation to all states, beginning with fiscal year 1972.

Cost.—We recommend \$12½ billion over a five-year period in Federal grant commitment authority, of which \$2½ billion would be available for each of five consecutive fiscal years beginning with the fiscal year ending June 30, 1972, to remain available until obligated.

If separation of storm and sanitary sewers is included as an eligible item (as recommended on page 14), the cost would increase to at least \$15 billion over a five-year period, with \$3 billion available each year.

2. Authority to commit Federal funds to assume State and local prefinancing commitments for the period July 1, 1966 through June 30, 1971.

Cost.—As noted earlier, \$3 billion will be required to liquidate these commitments.

We therefore recommend your Subcommittee approve an amendment along the lines of the attached, to assure full Federal funding of projects for the period July 1, 1966 through June 30, 1971.

The intent of this amendment is to fulfill the following purposes:

1. A commitment for the Federal government to pay its full share of the cost of projects under construction or on which construction has been completed, or those which have been approved by the Federal government, but for which commitments for permanent financing have not been made.

2. A commitment for the Federal government to pay its full share of the cost of projects, including debt service, for which commitments for permanent financing have been made, over a period of up to, say, 40 years.

The majority of the bond issues in New York State are for 30 years, but some municipalities have gone to the maximum of 40 years permitted in order to reduce annual payments and interest on unpaid balances.

At the present time, municipalities are financing construction through bond anticipation notes, but they are required to sell permanent bonds within 5 years. Many municipalities have elected to sell bond anticipation notes—at a higher rate of interest than is available under permanent financing—while awaiting Federal redemption of its promise to pay the full Federal share of the cost.

It would, of course, be useful to many States, including New York, if the date of June 30, 1966 in this section of the Act could be changed to be more retroactive to an earlier date. It was during the two years previous to 1966 that the law authorized only 30 percent of a project, up to a maximum of \$1,200,000 for individual projects and up to \$4,800,000 for multi-municipal projects. Such a change would, for example, provide additional Federal assistance for a multi-million dollar project in Brooklyn.

This amendment, along with adequate commitment authority to assure financing of the full Federal share of all projects beginning in fiscal year 1972, will assure the antipollution program will go forward at the greatest possible speed.

Authorization carryover.—As noted earlier, we believe Congress is ready to accept grant commitment authority. However, if the final bill retains the present authorization/appropriation route, we propose that authorizations for any fiscal year from which appropriations have not been made be carried over to each succeeding fiscal year.

If such authority were now available, Congress would be able to appropriate an additional \$1.3 billion for fiscal year 1971—an amount adequate to liquidate the prefinancing commitments as of June 30, 1970. However, since \$250 million in authority actually remains available, we recommend this amount be appropriated in the supplemental appropriation bill for fiscal year 1971.

Report on financial requirements.—We endorse the proposal in the Administration bill to require a report by January 10, 1973, on the financial requirements for the construction of waste treatment facilities. This report should cover the five years after the expiration of legislation that is enacted.

We believe an estimate of the requirements will be far more realistic if grant commitment authority is provided, as such authority will enable the States to make judgments based on more accurate estimates of the Federal financing that will be available to match state and local efforts.

We would appreciate an opportunity for staff discussions of these proposed amendments.

VI. ALLOCATION FORMULA

The allocation formula in the President's proposal provides 60 percent of the funds be allocated on the basis of population, 20 percent for States that pay at least 25 percent of the cost of the systems, and 20 percent for States that have the most severe problems or that can best use such funds to fulfill a basin-wide pollution abatement plan.

We favor this formula with a modification. It could justifiably be changed so that 40 percent could be allocated to the States that have agreements to pay at least 25 percent of the cost. The fact that projects are under design or construction in accord with a water quality standards implementation plan is the best measure of both the existence of water pollution control need and the ability of a state to use construction funds to fulfill a basin-wide pollution abatement plan.

However, we believe the Secretary should have discretionary authority to grant funds for emergency situations that might arise.

Recommendation

We therefore recommend a 55-35-10 allocation formula, as we believe this will more nearly accommodate not only the needs but the ability of the States to carry out a program of cleaning up the environment at the fastest possible speed.

LIMIT ON TOTAL ALLOCATION IN A YEAR

The provision in the Administration's bill to limit the total allocation in a year to no more than that of the previous year should be modified to allow for a greater amount if a State has previously approved projects for which a larger allocation is justified for reimbursement of State or municipal pre-financed Federal shares.

VIII. CUTOFF OF 1973 IN ADMINISTRATION BILL FOR AUTHORITY TO PREFINANCE

The Administration bill would provide reimbursement of funds for projects pre-financed prior to July 1, 1973, whereas the expiration date of the bill would be a year later. Unless our previous recommendations are adopted, we recommend and urge that this date be consistent with the expiration date of the legislation that is enacted.

IX. BONUSES**A. River basin plans:**

S. 3687: Provides that a maximum of 60 percent grant would be authorized if the works are in an approved river basin plan.

S. 3472: Provides that 20 percent of the authority would be allocated to those States that have the most severe water pollution problems and can best use such funds to meet the requirements of a basinwide pollution abatement plan.

B. Metropolitan regional plan.—S. 3472 would terminate present authority, S. 3687 would continue present authority for a ten percent bonus for compliance with metropolitan or regional plan. With the bonus for river basin plan, this would bring the total eligible share under S. 3687 to 66 percent.

We believe all States should strive for the ultimate in planning, and they should be encouraged to comply with a river basin and a metropolitan or regional plan.

However, if the funds are not available to pay these bonuses, they only serve to confuse the municipalities. They believe 55 percent of the cost is available now from the Federal government, they spend money to set up planning boards, they cooperate and comply in every way possible, and then they are confronted with the news that money for the bonus is not available after all.

Over the past three years only 174 grants for up to 50/55 percent have been approved (See enclosure 2.) The remainder of the 2,650 grants approved were, at best, for 30/33 percent, and some were as low as 1 percent.

The objective, we believe, should be to clean up pollution, and we therefore recom-

mend full funding of present authorizations before we embark upon new ones, worthy though they may be.

Nevertheless, should the basin plan bonus be added, the requirement that each user pay the cost of new treatment works constructed after fiscal year 1976 would be unfairly restrictive by precluding forms of financing other than user financing that might be justified by the regional development and general benefits of the pollution control projects.

X. PROJECTS ELIGIBLE FOR GRANT ASSISTANCE

A. Eligibility of storm and sanitary sewers: Senator Magnuson's bill, S. 4206, would permit Federal funding of projects directed toward the solution of combined sewer problems.

We urge that separation of storm and sanitary sewers be included as an eligible item for Federal assistance, and endorse the language in Section 3 of Senator Magnuson's bill.

B. New and improved treatment processes and procedures:

Specific reference is made in S. 3687 to "new and improved treatment processes and procedures" as being eligible for grants.

The full-scale application of newly developed treatment methods from research and demonstration programs would be expedited by the special acknowledgement of their eligibility for construction grants.

There are a number of other provisions in pending legislation that are worthy of comment. We believe it would be useful and would appreciate the opportunity for staff level meetings to discuss these and the recommendations in this letter.

Thank you very much for your consideration of our views.

Sincerely,

JACOB K. JAVITS.

CHARLES E. GOODELL.

S. 3687

On page 18, beginning with line 1, strike out all through line 7 and insert in lieu thereof the following:

"(5) (A) A finding by the Secretary that a project on which construction was initiated in a State after June 30, 1966, and which was constructed with assistance pursuant to this section but the amount of such assistance was a lesser per centum of the cost of construction than was allowable pursuant to this section, and which meets the requirements of this subsection, and any other provision of this subsection, shall be construed to constitute a commitment or obligation of the United States to make payments in reimbursement of, or for commitments made by, State and local governments for projects that have been approved prior to July 1, 1971, by the Federal government, to the extent that assistance could have been provided under

this section if adequate funds had been available.

"(B) There are authorized to be appropriated such amounts as are necessary to liquidate obligations incurred pursuant to this paragraph."

ENCLOSURE 1**State investment intentions**

| | Millions of dollars |
|----------------------|---------------------|
| Alabama | 35.0 |
| Alaska | 12.0 |
| Arizona | 86.0 |
| Arkansas | 33.0 |
| California | 651.8 |
| Colorado | 133.0 |
| Connecticut | 280.5 |
| Delaware | 28.0 |
| District of Columbia | 355.0 |
| Florida | 200.0 |
| Georgia | 150.0 |
| Hawaii | 14.4 |
| Idaho | 0.5 |
| Illinois | 437.2 |
| Indiana | 152.6 |
| Iowa | 33.3 |
| Kansas | 61.0 |
| Kentucky | 62.6 |
| Louisiana | 140.0 |
| Maine | 140.9 |
| Maryland | 236.9 |
| Massachusetts | 438.0 |
| Michigan | 253.7 |
| Minnesota | 136.3 |
| Mississippi | 40.0 |
| Missouri | 390.0 |
| Montana | 13.5 |
| Nebraska | 62.0 |
| Nevada | 28.6 |
| New Hampshire | 138.0 |
| New Jersey | 880.0 |
| New Mexico | 9.9 |
| New York | 1900.1 |
| North Carolina | 69.3 |
| North Dakota | 22.0 |
| Ohio | 432.5 |
| Oklahoma | 65.3 |
| Oregon | 135.0 |
| Pennsylvania | 432.0 |
| Rhode Island | 51.5 |
| South Carolina | 75.0 |
| South Dakota | 27.0 |
| Tennessee | 105.5 |
| Texas | 525.0 |
| Utah | 11.7 |
| Vermont | 70.0 |
| Virginia | 151.0 |
| Washington | 160.0 |
| West Virginia | 44.3 |
| Wisconsin | 243.7 |
| Wyoming | 12.0 |
| Guam | 6.2 |
| Puerto Rico | 28.9 |
| Virgin Islands | 15.4 |
| Total | 10217.1 |

ENCLOSURE 2**I. STATES ELIGIBLE FOR 50X55 PERCENT FEDERAL GRANTS****A. NEW GRANTS AT 50X55 PERCENT LEVEL APPROVED AS FOLLOWS (11 STATES; 3 TERRITORIES)**

| State | Fiscal year— | | | Total for 3 years | Grant percentage range of awards fiscal year 1970 |
|---|--------------|------|-------|-------------------|---|
| | 1968 | 1969 | 1970 | | |
| *Connecticut | 3 | 2 | 3 | 8 | 0.4 to 9.3 |
| *Indiana | 22 | 11 | 15 | 48 | 30 to 33 |
| *Maine | 3 | 2 | 2 | 7 | Do. |
| *Maryland | 3 | 10 | 13 | 26 | 14 to 9 |
| *Massachusetts | 5 | 3 | 6 | 14 | 5 to 3.3 |
| *Missouri | 14 | 35 | 49 | 98 | 30 to 33 |
| *New Hampshire | 1 | 1 | 2 | 4 | 2.5 to 27 |
| *Oregon | 2 | 2 | 2 | 6 | 30 to 33 |
| *Rhode Island | 2 | 2 | 2 | 6 | Do. |
| *Vermont | 3 | 3 | 4 | 10 | 0.5 to 3.1 |
| *Wisconsin | 1 | 10 | 10 | 21 | Do. |
| Guam | 1 | 1 | 1 | 3 | Do. |
| Puerto Rico | 1 | 4 | 6 | 11 | Do. |
| Virgin Islands | 1 | 1 | 2 | 4 | Do. |
| Total | 27 | 50 | 97 | 174 | |
| Total projects financed (all United States) | 785 | 685 | 1,100 | 4,650 | |

B. STATES ELIGIBLE FOR 50 TO 55 PERCENT GRANTS, BUT NO PROJECTS FINANCED AT THAT LEVEL (6 STATES AND DISTRICT OF COLUMBIA)

| | |
|-----------------------|-------------|
| *District of Columbia | 30 to 33 |
| *Iowa | Do. |
| *Michigan | 1.1 to 5.5 |
| *New Jersey | 25 to 30 |
| *New York | 1 to 30 |
| *Pennsylvania | 4.5 to 11.4 |
| *Tennessee | 14.3 to 33 |

*States that have refinanced up to their full eligible share of Federal funds.

† See footnote 1 following.

‡ As of June 30, 1970.

II. States eligible for 30-33 percent Federal grants:

A. States awaiting FWQA approval of enabling legislation for 50-55 percent grants (5 States).

(Grants percentage range of New Awards was 30-33% for all).

- * Alaska.
- * Hawaii.
- * Idaho.
- * Louisiana.
- * New Mexico.

B. States that have authorized matching State grants, but no funds have been appropriated; they are thus not now eligible for 50-55% grants. (6 States, now funded 30-33% level).

California (\$250 million bond issue before voters Nov. 3 to provide 25% state matching).

* Delaware (State program matching at 40%, up to a maximum of \$100,000. In addition, the appropriation is limited, and not all projects are matching at 40% state funds).

- * Georgia.
- * Nebraska.
- * Oregon (see footnote 1).
- * Texas.

C. Other States eligible for 30-33 percent Federal grants (23 States) (New grants are awarded at 30-33% level).

- * Alabama.
- * Arizona.
- * Arkansas.
- * Colorado.
- * Florida.
- * Illinois.
- * Kansas.
- * Kentucky.
- * Minnesota.
- * Mississippi.
- * Montana.
- * Nevada.
- * North Carolina.
- * North Dakota.
- * Ohio (Grant percentage range: 10-10.5%).
- * Oklahoma.
- * South Carolina.
- * South Dakota.
- * Utah.
- * Virginia.
- * Washington.
- * West Virginia.
- * Wyoming.

ENCLOSURE 3

REFINANCING—CONSTRUCTION OF SEWAGE TREATMENT PLANTS, DEC. 31, 1969

| State | Number of projects | Total pre-financed | Now eligible for reimbursement |
|----------------------|--------------------|--------------------|--------------------------------|
| Alabama | 2 | \$5,308,000 | \$138,000 |
| Alaska | 3 | 1,269,600 | |
| Arizona | 1 | 60,600 | 46,056 |
| Arkansas | 1 | 13,842 | 13,842 |
| California | 47 | 72,048,886 | 6,775,861 |
| Colorado | 5 | 895,600 | |
| Connecticut | 4 | 2,918,050 | 703,373 |
| Delaware | 6 | 956,584 | 339,280 |
| District of Columbia | 15 | 17,529,124 | 4,773,012 |
| Florida | | | |
| Georgia | | | |
| Hawaii | | | |

*States that have refinanced up to their full eligible share of Federal funds.

* Oregon had a matching grant program prior to FY '70, but dropped out because of low Federal appropriations. State now has a bond issue pending, and will return to 50-55% category next year.

* Virginia approved \$7.8 million in State funds July 1970; funds were spent by mid-August.

| State | Number of projects | Total pre-financed | Now eligible for reimbursement |
|--|--------------------|--------------------|--------------------------------|
| Idaho | 59 | \$27,459,139 | \$2,279,790 |
| Illinois | 13 | 4,116,258 | 2,152,188 |
| Indiana | 13 | 1,336,260 | 26,990 |
| Iowa | 9 | 252,728 | 87,426 |
| Kansas | 3 | | |
| Kentucky | 11 | 5,278,840 | 832,575 |
| Louisiana | 75 | 55,872,720 | 22,322,888 |
| Maine | 13 | 14,332,670 | 1,542,880 |
| Maryland | 10 | 6,154,910 | 1,549,380 |
| Massachusetts | 10 | 9,253,490 | 1,156,760 |
| Michigan | 23 | 13,131,927 | 10,502,410 |
| Minnesota | | | |
| Mississippi | | | |
| Missouri | | | |
| Montana | | | |
| Nebraska | 1 | 1,925,550 | |
| Nevada | 9 | 6,476,285 | 2,450,550 |
| New Hampshire | 40 | 12,091,850 | 1,693,031 |
| New Jersey | 217 | 459,402,189 | 64,307,426 |
| New Mexico | | | |
| New York | | | |
| North Carolina | | | |
| North Dakota | 7 | 4,793,797 | 924,261 |
| Ohio | | | |
| Oklahoma | | | |
| Oregon | 7 | 2,322,960 | 408,660 |
| Pennsylvania | 100 | 30,143,740 | 10,987,707 |
| Rhode Island | 2 | 370,660 | 150,000 |
| South Carolina | 3 | 5,243,980 | 617,890 |
| South Dakota | | | |
| Tennessee | 11 | 3,419,016 | 332,759 |
| Texas | 26 | 3,684,206 | 203,774 |
| Utah | | | |
| Vermont | 4 | 1,181,010 | |
| Virginia | 16 | 5,828,980 | 2,205,504 |
| Washington | 27 | 5,919,910 | 4,394,020 |
| West Virginia | | | |
| Wisconsin | 25 | 13,048,060 | 2,923,740 |
| Wyoming | | | |
| Guam | | | |
| Puerto Rico | | | |
| Virgin Islands | | | |
| Total (33 States and District of Columbia) | 815 | 794,041,421 | 145,312,133 |

REFINANCING—CONSTRUCTION OF SEWAGE TREATMENT PLANTS—STATUS, JUNE 30, 1970

| State | Number of projects | Total pre-financed | Now eligible for reimbursement |
|----------------------|--------------------|--------------------|--------------------------------|
| Alabama | 2 | \$5,308,000 | \$138,000 |
| Alaska | 4 | 2,354,270 | 175,720 |
| Arizona | | | |
| Arkansas (dropout) | | | |
| California | 1 | 15,226 | 15,226 |
| Colorado | 54 | 101,128,100 | 14,285,136 |
| Connecticut | 5 | 895,600 | |
| District of Columbia | 7 | 52,788,250 | 712,306 |
| Florida | 3 | 7,510,100 | |
| Georgia | 4 | 10,738,250 | 59,400 |
| Hawaii | 1 | 1,490,610 | 44,700 |
| Idaho | 46 | 12,671,785 | 3,421,935 |
| Illinois | 13 | 4,373,815 | 2,552,185 |
| Indiana | 69 | 3,361,629 | 1,012,641 |
| Iowa | 12 | 436,010 | 205,082 |
| Kansas | | | |
| Kentucky | | | |
| Louisiana | | | |
| Maine | 12 | 7,050,490 | 1,694,367 |
| Maryland | 83 | 74,325,541 | 26,692,654 |
| Massachusetts | 9 | 8,683,250 | |
| Michigan | 137 | 121,951,721 | 19,052,214 |
| Minnesota | 17 | 14,453,130 | 317,700 |
| Mississippi | | | |
| Missouri | 5 | 6,708,000 | 6,181,320 |
| Montana | | | |
| Nebraska | 1 | 1,925,550 | |
| Nevada | 10 | 6,360,285 | 3,706,650 |
| New Hampshire | 51 | 31,415,270 | 3,811,309 |
| New Jersey | 263 | 774,783,417 | 93,575,734 |
| New Mexico | 2 | 1,496,240 | |
| New York | | | |
| North Carolina | | | |
| North Dakota | 28 | 17,043,520 | 2,075,340 |
| Ohio | | | |
| Oklahoma | | | |
| Oregon | 5 | 6,240,630 | 95,840 |
| Pennsylvania | 99 | 30,418,197 | 13,335,630 |
| Rhode Island | 3 | 2,115,860 | 220,000 |
| South Carolina | 1 | 26,730 | 6,682 |
| South Dakota | | | |
| Tennessee | 13 | 12,145,295 | 32,397 |

| State | Number of projects | Total pre-financed | Now eligible for reimbursement |
|--|--------------------|--------------------|--------------------------------|
| Texas | 33 | \$5,501,490 | \$368,700 |
| Utah | | | |
| Vermont | 2 | 115,050 | |
| Virginia | 7 | 969,050 | 917,679 |
| Washington | 10 | 791,080 | 529,510 |
| West Virginia | | | |
| Wisconsin | 26 | 13,534,912 | 2,477,210 |
| Wyoming | | | |
| Guam | | | |
| Puerto Rico | | | |
| Virgin Islands | | | |
| Total (24 States and District of Columbia) | 1,038 | 1,341,028,383 | 197,713,467 |

Note: 547,000,000 increase in 6 months—69 percent.

ENCLOSURE 4

**U.S. DEPARTMENT OF THE INTERIOR,
Washington, D.C., Sept. 18, 1970.**

HON. CHARLES E. GOODSELL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GOODSELL: This will acknowledge your telegram of September 12 and expand on advice given your office by telephone late Wednesday afternoon. You requested figures by state of the potential reimbursement entitlement; i.e., the total amounts for which the projects could be eligible when construction of sewage treatment plants is completed and the full Federal share has been expended by state and local agencies. You further acknowledged receipt of information from us on the amounts eligible for reimbursement as of December 31, 1969, and as of June 30, 1970.

For purposes of clarity, we presently refer to future entitlement as new obligations rather than potential reimbursements since the language of the act is quite clear that a reimbursement is a repayment of a state or local expenditure. Reimbursements are, therefore, defined as being money from any allotment made under Section 8 of P.L. 84-600, as amended, for the repayment of state or local prefinancing of the Federal share of the cost of construction, subject to the following criteria:

1. Proper audit.
2. Appropriate state water pollution control agency approval.
3. Determination by the Secretary:
 - (a) As meeting requirements of Section 8, and
 - (b) Having been built without Federal assistance partially or in toto.
4. For those construction costs actually paid out.

New obligations cannot and shall not be qualified for or designated as reimbursements until such time as payment shall have been made by the state or local government and then (1) only to the amount of the Federal share of the actual payment, and (2) only to the extent that actual payments exceed the state's allotment for the program.

With these definitions in mind, the Federal Water Quality Administration determination of reimbursements and their estimates of new obligations have been prepared and are tabulated by states from the enclosed sheets.

I trust that this is the information and material that you are seeking, and if we may be of further service, please do not hesitate to call.

Sincerely yours,
CARL L. KLEIN,
Assistant Secretary, Water Quality and Research.

DIVISION OF STATE AND LOCAL PROGRAMS CONSTRUCTION GRANTS AND ENGINEERING BRANCH—EVALUATION AND RESOURCE CONTROL OPERATIONS
REIMBURSABLES, BASED UPON ACTUAL PAYMENTS, AND RELATED NEW OBLIGATIONS STATUS AS OF DEC. 31, 1969

| | Number of projects | Reimbursement | New obligation |
|-----------------------------|--------------------|-------------------|--------------------|
| Total..... | 815 | \$145,312,133 | \$648,729,288 |
| Northeast..... | 348 | 76,209,443 | 495,868,547 |
| Connecticut..... | 47 | 6,775,861 | 65,273,025 |
| Delaware..... | 5 | 0 | 895,600 |
| Maine..... | 11 | 832,575 | 4,446,265 |
| Massachusetts..... | 13 | 0 | 14,332,670 |
| New Hampshire..... | 9 | 2,450,550 | 4,025,735 |
| New Jersey..... | 40 | 1,693,031 | 10,398,819 |
| New York..... | 217 | 64,307,426 | 395,094,763 |
| Rhode Island..... | 2 | 150,000 | 220,660 |
| Vermont..... | 4 | 0 | 1,181,010 |
| Middle Atlantic..... | 198 | 36,832,362 | 63,175,108 |
| Maryland..... | 75 | 22,322,888 | 33,549,837 |
| North Carolina..... | None | None | None |
| Pennsylvania..... | 100 | 10,882,707 | 19,161,033 |
| South Carolina..... | 3 | 617,890 | 4,526,090 |
| Virginia..... | 16 | 2,205,504 | 3,623,476 |
| District of Columbia..... | 4 | 703,373 | 2,214,677 |
| Southeast..... | 34 | 5,583,051 | 21,629,673 |
| Alabama..... | 2 | 138,000 | 5,170,000 |
| Florida..... | 6 | 339,280 | 617,304 |
| Georgia..... | 15 | 4,773,012 | 12,756,112 |
| Mississippi..... | None | None | None |
| Tennessee..... | 11 | 332,759 | 3,086,257 |
| Puerto Rico..... | None | None | None |
| Virgin Islands..... | None | None | None |
| Ohio Basin..... | 20 | 3,076,429 | 5,833,626 |
| Indiana..... | 13 | 2,152,168 | 1,964,090 |
| Kentucky..... | None | None | None |
| Ohio..... | 7 | 924,261 | 3,869,536 |
| West Virginia..... | None | None | None |

| | Number of projects | Reimbursement | New obligation |
|----------------------------|--------------------|--------------------|---------------------|
| Great Lakes..... | 117 | \$7,954,660 | \$49,297,199 |
| Illinois..... | 59 | 2,297,790 | 25,161,349 |
| Iowa..... | 13 | 26,990 | 1,309,270 |
| Michigan..... | 10 | 1,549,380 | 4,605,530 |
| Minnesota..... | 10 | 1,156,760 | 8,096,730 |
| Wisconsin..... | 25 | 2,923,740 | 10,124,320 |
| Missouri Basin..... | 33 | 10,603,678 | 2,794,819 |
| Colorado..... | 1 | 13,842 | 0 |
| Kansas..... | 9 | 87,425 | 165,302 |
| Missouri..... | 23 | 10,502,410 | 2,629,517 |
| Nebraska..... | None | None | None |
| North Dakota..... | None | None | None |
| South Dakota..... | None | None | None |
| Wyoming..... | None | None | None |
| South-Central..... | 27 | 249,830 | 3,494,976 |
| Arkansas..... | 1 | 46,056 | 14,544 |
| Louisiana..... | None | None | None |
| New Mexico..... | None | None | None |
| Oklahoma..... | None | None | None |
| Texas..... | 26 | 203,774 | 3,480,432 |
| Southwest..... | 1 | None | 1,925,550 |
| Arizona..... | None | None | None |
| California..... | None | None | None |
| Hawaii..... | None | None | None |
| Nevada..... | 1 | None | 1,925,550 |
| Utah..... | None | None | None |
| Guam..... | None | None | None |
| Northwest..... | 37 | 4,802,680 | 4,709,790 |
| Alaska..... | 3 | 0 | 1,269,600 |
| Idaho..... | None | None | None |
| Montana..... | None | None | None |
| Oregon..... | 7 | 408,660 | 1,914,300 |
| Washington..... | 27 | 4,394,020 | 1,525,890 |

TOTAL REIMBURSABLES, BASED UPON ACTUAL PAYMENTS, AND RELATED NEW OBLIGATIONS STATUS, AS OF JUNE 30, 1970

| | Number of projects | Reimbursement | New obligation |
|-----------------------------|--------------------|--------------------|--------------------|
| Total..... | 1,038 | \$197,713,467 | \$1,143,314,916 |
| Northeast..... | 409 | 117,293,196 | 815,258,136 |
| Connecticut..... | 54 | 14,285,136 | 86,842,964 |
| Delaware..... | 5 | 0 | 895,600 |
| Maine..... | 12 | 1,694,367 | 5,356,123 |
| Massachusetts..... | 9 | 0 | 8,682,250 |
| New Hampshire..... | 10 | 3,706,650 | 2,653,635 |
| New Jersey..... | 51 | 3,811,309 | 27,603,961 |
| New York..... | 263 | 95,578,734 | 601,207,683 |
| Rhode Island..... | 3 | 220,000 | 1,895,860 |
| Vermont..... | 2 | 0 | 1,159,060 |
| Middle Atlantic..... | 199 | 41,665,151 | 118,358,857 |
| Maryland..... | 83 | 26,692,654 | 47,632,887 |
| North Carolina..... | 2 | 0 | 1,496,240 |
| Pennsylvania..... | 99 | 13,335,830 | 17,082,367 |
| South Carolina..... | 1 | 6,682 | 20,048 |
| Virginia..... | 7 | 917,679 | 51,371 |
| District of Columbia..... | 7 | 712,306 | 52,075,944 |
| Southeast..... | 22 | 229,797 | 35,469,858 |
| Alabama..... | 2 | 138,000 | 5,170,000 |
| Florida..... | 3 | 0 | 7,510,110 |
| Georgia..... | 4 | 59,400 | 10,676,850 |
| Mississippi..... | None | None | None |
| Tennessee..... | 13 | 32,397 | 12,112,898 |
| Puerto Rico..... | None | None | None |
| Virgin Islands..... | None | None | None |
| Ohio Basin..... | 41 | 4,627,525 | 16,789,810 |
| Indiana..... | 13 | 2,552,185 | 1,821,630 |
| Kentucky..... | None | None | None |
| Ohio..... | 28 | 2,075,340 | 14,968,180 |
| West Virginia..... | None | None | None |

| | Number of projects | Reimbursement | New obligation |
|----------------------------|--------------------|---------------------|----------------------|
| Great Lakes..... | 295 | \$26,281,700 | \$139,591,477 |
| Illinois..... | 46 | 3,421,935 | 9,249,550 |
| Iowa..... | 69 | 1,012,641 | 2,348,888 |
| Michigan..... | 137 | 19,052,214 | 102,799,507 |
| Minnesota..... | 17 | 317,700 | 14,135,430 |
| Wisconsin..... | 26 | 2,477,210 | 11,657,702 |
| Missouri Basin..... | 18 | 6,491,628 | 757,608 |
| Colorado..... | 1 | 15,226 | 0 |
| Kansas..... | 12 | 205,082 | 230,928 |
| Missouri..... | 5 | 6,181,320 | 526,680 |
| Nebraska..... | None | None | None |
| North Dakota..... | None | None | None |
| South Dakota..... | None | None | None |
| Wyoming..... | None | None | None |
| South Central..... | 33 | 368,700 | 5,132,790 |
| Arkansas..... | None | None | None |
| Louisiana..... | None | None | None |
| New Mexico..... | None | None | None |
| Oklahoma..... | None | None | None |
| Texas..... | 33 | 368,700 | 5,132,790 |
| Southwest..... | 2 | 44,700 | 3,371,470 |
| Arizona..... | None | None | None |
| California..... | None | None | None |
| Hawaii..... | 1 | 44,700 | 1,445,910 |
| Nevada..... | 1 | 0 | 1,925,560 |
| Utah..... | None | None | None |
| Guam..... | None | None | None |
| Northwest..... | 19 | 801,070 | 8,584,910 |
| Alaska..... | 4 | 175,720 | 2,178,500 |
| Idaho..... | None | None | None |
| Montana..... | None | None | None |
| Oregon..... | 5 | 95,840 | 6,144,780 |
| Washington..... | 10 | 529,510 | 261,570 |

DEPARTMENT OF INTERIOR FEDERAL WATER QUALITY ADMINISTRATION CONSTRUCTION GRANTS FOR WASTE TREATMENT WORKS—STATUS OF REIMBURSEMENT ELIGIBILITY

| | Number of projects as of Dec. 31, 1969 | Number of projects as of June 30, 1970 | Difference | Reimbursement eligibility as of Dec. 31, 1969 | Reimbursement eligibility as of June 30, 1970 | Difference |
|------------------------------|--|--|-------------|---|---|--------------------|
| Total | 815 | 1,038 | +223 | 145,312,133 | 197,713,467 | +52,491,334 |
| Northeast | 348 | 409 | +61 | 76,209,443 | 117,293,196 | +41,083,753 |
| Connecticut..... | 47 | 54 | +7 | 6,775,861 | 14,285,136 | +7,509,275 |
| Delaware..... | 5 | 5 | 0 | 0 | 0 | 0 |
| Maine..... | 11 | 12 | +1 | 832,575 | 1,694,367 | +861,792 |
| Massachusetts..... | 13 | 9 | -4 | 0 | 0 | 0 |
| New Hampshire..... | 9 | 10 | +1 | 2,450,550 | 3,705,650 | +1,255,100 |
| New Jersey..... | 40 | 51 | +11 | 1,693,031 | 3,811,309 | +2,118,278 |
| New York..... | 217 | 263 | +46 | 64,307,426 | 93,575,734 | +29,268,308 |
| Rhode Island..... | 2 | 3 | +1 | 150,000 | 220,000 | +70,000 |
| Vermont..... | 4 | 2 | -2 | 0 | 0 | 0 |
| Middle Atlantic | 198 | 199 | +1 | 36,832,362 | 41,665,151 | +4,832,789 |
| Maryland..... | 75 | 83 | +8 | 22,322,888 | 26,692,654 | +4,369,766 |
| North Carolina..... | 0 | 2 | +2 | 0 | 0 | 0 |
| Pennsylvania..... | 100 | 99 | -1 | 10,982,707 | 13,335,830 | +2,353,123 |
| South Carolina..... | 3 | 1 | -2 | 617,890 | 6,682 | -611,208 |
| Virginia..... | 16 | 7 | -9 | 2,205,584 | 91,679 | -2,113,905 |
| District of Columbia..... | 4 | 7 | +3 | 703,373 | 712,306 | +8,933 |
| Southeast | 34 | 22 | -12 | 5,583,051 | 229,797 | -5,353,254 |
| Alabama..... | 2 | 2 | 0 | 138,000 | 138,000 | 0 |
| Florida..... | 6 | 3 | -3 | 339,280 | 0 | -339,280 |
| Georgia..... | 15 | 4 | -11 | 4,773,012 | 59,400 | -4,713,612 |
| Mississippi..... | 0 | 0 | 0 | 0 | 0 | 0 |
| Tennessee..... | 11 | 13 | +2 | 332,759 | 32,397 | -300,362 |
| Puerto Rico..... | 0 | 0 | 0 | 0 | 0 | 0 |
| Virgin Islands..... | 0 | 0 | 0 | 0 | 0 | 0 |
| Ohio Basin | 20 | 41 | +21 | 3,076,429 | 4,627,525 | +1,551,096 |
| Indiana..... | 13 | 13 | 0 | 2,152,168 | 2,552,185 | +400,017 |
| Kentucky..... | 0 | 0 | 0 | 0 | 0 | 0 |
| Ohio..... | 7 | 28 | +21 | 924,261 | 2,075,340 | +1,151,079 |
| West Virginia..... | 0 | 0 | 0 | 0 | 0 | 0 |
| Great Lakes | 117 | 295 | +178 | 7,954,660 | 26,281,700 | +18,327,040 |
| Illinois..... | 59 | 46 | -13 | 2,297,790 | 3,421,935 | +1,124,145 |
| Iowa..... | 13 | 69 | +56 | 26,990 | 1,012,641 | +985,651 |
| Michigan..... | 10 | 137 | +127 | 1,549,380 | 19,052,214 | +17,502,834 |
| Minnesota..... | 25 | 26 | +1 | 1,156,760 | 317,700 | -839,060 |
| Wisconsin..... | 25 | 26 | +1 | 2,923,740 | 2,477,210 | -446,530 |
| Missouri Basin | 33 | 18 | -15 | 10,603,678 | 6,401,628 | -4,202,050 |
| Colorado..... | 1 | 1 | 0 | 13,842 | 15,226 | 1,384 |
| Kansas..... | 9 | 12 | +3 | 87,426 | 295,082 | +207,656 |
| Missouri..... | 23 | 5 | -18 | 10,502,410 | 6,181,500 | -4,320,910 |
| Nebraska..... | 0 | 0 | 0 | 0 | 0 | 0 |
| North Dakota..... | 0 | 0 | 0 | 0 | 0 | 0 |
| South Dakota..... | 0 | 0 | 0 | 0 | 0 | 0 |
| Wyoming..... | 0 | 0 | 0 | 0 | 0 | 0 |
| South Central | 27 | 33 | +6 | 249,830 | 368,700 | +118,870 |
| Arkansas..... | 1 | 0 | -1 | 46,056 | 0 | -46,056 |
| Louisiana..... | 0 | 0 | 0 | 0 | 0 | 0 |
| New Mexico..... | 0 | 0 | 0 | 0 | 0 | 0 |
| Oklahoma..... | 0 | 0 | 0 | 0 | 0 | 0 |
| Texas..... | 26 | 33 | +7 | 203,774 | 368,700 | +164,926 |
| Southwest | 1 | 2 | +1 | 0 | 44,700 | +44,700 |
| Arizona..... | 0 | 0 | 0 | 0 | 0 | 0 |
| California..... | 0 | 0 | 0 | 0 | 0 | 0 |
| Hawaii..... | 1 | 1 | 0 | 0 | 44,700 | +44,700 |
| Nevada..... | 1 | 1 | 0 | 0 | 0 | 0 |
| Utah..... | 0 | 0 | 0 | 0 | 0 | 0 |
| Guam..... | 0 | 0 | 0 | 0 | 0 | 0 |
| Northwest | 37 | 19 | -18 | 4,802,680 | 801,070 | -4,001,610 |
| Alaska..... | 3 | 4 | +1 | 0 | 175,729 | +175,729 |
| Idaho..... | 0 | 0 | 0 | 0 | 0 | 0 |
| Montana..... | 0 | 0 | 0 | 0 | 0 | 0 |
| Oregon..... | 7 | 2 | -5 | 408,000 | 95,840 | -312,160 |
| Washington..... | 27 | 10 | -17 | 4,394,020 | 529,510 | -3,864,510 |

ENCLOSURE 5

FEDERAL WATER QUALITY ADMINISTRATION

EXPLANATION OF TABLE

This table gives State allotments for fiscal year 1971 under several plans.

FEDERAL WATER QUALITY ADMINISTRATION CONSTRUCTION GRANTS AND ENGINEERING BRANCH EVALUATION AND RESOURCE CONTROL SECTION

Comparison of State allotments using 2 methods of computing entitlements

| | Allocation of \$800,000,000 under formula (1) | Allocation based on States' earned reimbursable grants to total ERG (May 31, 1970) | | Allocation of \$1,000,000,000 under existing formula (4) | 60 percent as in (1), 20 percent matching grants, 20 percent reimbursables need (Jan. 1, 1970) | |
|---------------------------|---|--|------------------------|--|--|------------------------|
| | | (2) | (3) | | (5) | (6) |
| Total | \$800,000,000 | \$200,000,000 | \$1,000,000,000 | \$1,000,000,000 | \$1,000,000,000 | \$1,000,000,000 |
| Alabama..... | 14,680,000 | 1,440,000 | 16,120,000 | 18,274,400 | 10,683,600 | 11,368,800 |
| Alaska..... | 1,822,500 | 320,000 | 1,942,500 | 1,871,300 | 1,766,600 | 1,682,200 |
| Arizona..... | 6,316,000 | 0 | 6,316,000 | 7,748,800 | 2,489,900 | 7,173,300 |
| Arkansas..... | 8,580,800 | 0 | 8,580,800 | 10,546,300 | 6,568,200 | 7,213,200 |
| California..... | 65,557,000 | 0 | 65,557,000 | 82,850,500 | 53,281,600 | 65,681,400 |
| Colorado..... | 8,084,200 | 0 | 8,084,200 | 10,013,900 | 6,487,100 | 9,090,500 |
| Connecticut..... | 11,117,800 | 17,780,000 | 28,897,800 | 13,907,300 | 36,059,200 | 21,349,400 |
| Delaware..... | 2,571,000 | 60,000 | 2,631,000 | 3,062,000 | 2,320,100 | 2,728,300 |
| District of Columbia..... | 3,788,000 | 600,000 | 4,388,000 | 4,628,700 | 6,039,200 | 11,628,400 |
| Florida..... | 21,331,100 | 740,000 | 22,071,100 | 26,779,300 | 18,684,100 | 21,879,100 |
| Georgia..... | 17,289,000 | 3,240,000 | 20,529,000 | 21,627,500 | 16,442,800 | 16,419,000 |
| Hawaii..... | 3,410,900 | 220,000 | 3,630,900 | 4,107,100 | 2,922,400 | 3,215,200 |
| Idaho..... | 3,787,400 | 0 | 3,787,400 | 4,321,400 | 2,963,200 | 3,297,800 |
| Illinois..... | 42,294,100 | 1,800,000 | 44,094,100 | 53,396,300 | 31,895,300 | 38,924,100 |
| Indiana..... | 20,052,000 | 700,000 | 20,752,000 | 25,182,000 | 27,508,800 | 29,735,600 |
| Iowa..... | 12,221,800 | 0 | 12,221,800 | 15,235,800 | 8,352,700 | 8,965,500 |
| Kansas..... | 9,832,200 | 60,000 | 9,902,200 | 12,239,200 | 7,166,500 | 8,280,500 |
| Kentucky..... | 13,609,300 | 0 | 13,609,300 | 16,952,100 | 9,753,400 | 10,978,800 |
| Louisiana..... | 14,510,200 | 0 | 14,510,200 | 18,093,800 | 11,129,000 | 13,868,600 |
| Maine..... | 4,294,600 | 920,000 | 5,214,600 | 6,061,000 | 7,111,200 | 8,709,800 |
| Maryland..... | 13,550,700 | 10,680,000 | 24,230,700 | 16,962,300 | 38,055,600 | 24,473,000 |
| Massachusetts..... | 21,980,200 | 1,460,000 | 23,440,200 | 27,645,200 | 30,599,900 | 37,014,700 |
| Michigan..... | 33,043,400 | 16,720,000 | 49,763,400 | 41,651,200 | 57,523,700 | 50,149,500 |
| Minnesota..... | 14,930,100 | 50,000 | 14,980,100 | 18,686,300 | 10,820,600 | 13,448,000 |
| Mississippi..... | 10,359,900 | 0 | 10,359,900 | 12,756,600 | 7,710,400 | 8,493,400 |
| Missouri..... | 18,690,300 | 2,620,000 | 21,310,300 | 23,443,300 | 26,674,600 | 32,668,800 |
| Montana..... | 3,724,200 | 0 | 3,724,200 | 4,466,600 | 2,804,200 | 3,067,000 |
| Nebraska..... | 6,674,300 | 0 | 6,674,300 | 8,227,100 | 4,742,500 | 5,196,100 |
| Nevada..... | 1,888,000 | 0 | 1,888,000 | 2,201,700 | 2,218,200 | 2,497,000 |
| New Hampshire..... | 3,367,200 | 1,500,000 | 4,867,200 | 4,035,000 | 7,476,000 | 7,197,800 |
| New Jersey..... | 25,241,700 | 13,500,000 | 39,241,700 | 32,416,900 | 48,553,600 | 54,156,600 |
| New Mexico..... | 4,976,300 | 0 | 4,976,300 | 6,022,700 | 6,088,800 | 6,822,800 |
| New York..... | 69,927,900 | 111,660,000 | 181,587,900 | 88,393,100 | 196,580,700 | 130,715,500 |
| North Carolina..... | 19,863,000 | 0 | 19,863,000 | 24,676,000 | 15,042,400 | 16,398,200 |
| North Dakota..... | 3,632,000 | 0 | 3,632,000 | 4,327,800 | 2,674,500 | 3,105,100 |
| Ohio..... | 40,849,800 | 2,040,000 | 42,889,800 | 51,529,600 | 31,803,200 | 38,109,600 |

Column 1 is the allocation under the continuing resolution.
 Columns 1, 2, and 3 show allocations on the basis of the fiscal year 1971 appropriation bill.
 Column 4 shows allocations as they would be under the existing formula.

Column 5 lists allocations under the President's proposed legislation with need being determined on the basis of reimbursements.
 Column 6 Lists allocations under the President's proposal using pending projects to reflect needs.

FEDERAL WATER QUALITY ADMINISTRATION CONSTRUCTION GRANTS AND ENGINEERING BRANCH, EVALUATION AND RESOURCE CONTROL SECTION—Continued

[Comparison of State allotments using 2 methods of computing entitlements]

| | Allocation of \$800,000,000 under formula ERG (1) | A location base on States' earned reimbursable grants to total ERG (May 31, 1970) (2) | Total 1971 allocation (1)+(2) (3) | Allocation of \$1,000,000,000 under existing formula (4) | 60 percent as in (1), | 60 percent as in (1), |
|---------------------|---|---|-----------------------------------|--|---|--|
| | | | | | 20 percent matching grants, 20 percent reimburses (5) | 20 percent matching grants, 20 percent need (Jan. 1, 1970) (6) |
| Oklahoma..... | 10,588,200 | | 10,588,200 | 13,149,900 | 7,877,800 | 9,156,600 |
| Oregon..... | 8,138,900 | 1,180,000 | 9,318,900 | 10,084,900 | 6,638,500 | 8,941,100 |
| Pennsylvania..... | 47,525,100 | 6,700,000 | 54,225,100 | 49,979,500 | 66,929,900 | 69,086,300 |
| Rhode Island..... | 4,338,400 | 80,000 | 4,418,400 | 5,284,000 | 5,628,600 | 6,417,400 |
| South Carolina..... | 11,021,800 | | 11,021,800 | 13,643,400 | 8,460,000 | 9,888,200 |
| South Dakota..... | 3,799,800 | | 3,799,800 | 4,548,600 | 2,761,700 | 3,290,300 |
| Tennessee..... | 15,814,700 | 20,000 | 15,834,700 | 19,739,500 | 21,549,800 | 23,355,800 |
| Texas..... | 40,467,200 | 160,000 | 40,627,200 | 51,007,600 | 30,983,400 | 41,280,400 |
| Utah..... | 4,672,900 | | 4,672,900 | 5,652,900 | 3,804,000 | 4,032,600 |
| Vermont..... | 2,328,700 | | 2,328,700 | 2,957,700 | 3,144,700 | 4,514,900 |
| Virginia..... | 17,137,900 | 1,160,000 | 18,297,900 | 21,650,100 | 13,466,200 | 16,422,000 |
| Washington..... | 12,536,600 | 300,000 | 12,836,600 | 15,675,900 | 12,519,800 | 13,031,800 |
| West Virginia..... | 8,805,000 | | 8,805,000 | 10,850,000 | 6,013,900 | 6,881,100 |
| Wisconsin..... | 17,285,300 | 2,300,000 | 19,585,300 | 21,485,900 | 27,462,900 | 27,053,700 |
| Wyoming..... | 2,248,600 | | 2,248,600 | 2,611,800 | 1,745,700 | 1,980,700 |
| Guam..... | 1,649,400 | | 1,649,400 | 1,723,200 | 1,879,300 | 1,999,900 |
| Puerto Rico..... | 11,067,200 | | 11,067,200 | 13,652,400 | 15,170,900 | 15,736,300 |
| Virgin Islands..... | 1,505,400 | | 1,505,400 | 1,540,800 | 1,651,500 | 1,951,900 |

ENCLOSURE 6

Federal grants available through June 30, 1971 to Maryland, Virginia, and the District of Columbia for construction of sewage treatment facilities**

Maryland's allocations:
Fiscal year 1970 allocation..... \$13,550,900
Granted by June 30, 1970..... 9,956,777

Balance for use until May 15, 1971..... 3,594,123

Fiscal year 1971 original allocation..... 13,550,700
Additional allocation anticipated..... *10,680,000

Total available to June 30, 1971..... 27,824,823

Virginia's allocations:

Fiscal year 1970 allocation..... \$17,302,800
Granted by June 30, 1970..... 6,257,947

Balance for use until May 15, 1971..... 11,044,853

Fiscal year 1971 original allocation..... 17,295,300
Additional allocation anticipated..... *1,160,000

Total available to June 30, 1971..... 29,500,153

District of Columbia's allocations:

Fiscal year 1970 allocation..... 3,780,500
Granted by June 30, 1970..... 0

Balance for use until May 15, 1971..... \$3,780,500

Fiscal year 1971 original allocation..... 3,788,000

Additional allocation anticipated..... *600,000

Total available to June 30, 1970..... 8,168,500

Total for above three jurisdictions..... 65,493,476

*From \$200 million earmarked in Public Works Appropriation bill for fiscal year 1971 based on earned reimbursable grants.

**Sources: Tables on all states provided by the Federal Water Quality Administration.

ENCLOSURE 7

| State | Grant range (percent) | Status, Dec. 31, 1969 | | Status, June 30, 1970 | |
|--|-----------------------|--------------------------|------------------------|--------------------------|------------------------|
| | | Prefinancing commitments | Eligible reimbursables | Prefinancing commitments | Eligible reimbursables |
| I.—10 States that have reduced their prefinancing commitments (all but 2 have reduced the eligible reimbursables): | | | | | |
| Arkansas..... | 30 to 33 | 60,600 | 46,056 | 12,671,785 | 3,421,935 |
| Illinois..... | do | 27,459,139 | 2,297,790 | 10,736,250 | 59,400 |
| Georgia..... | do | 17,529,124 | 4,773,012 | 8,683,250 | 6,818,320 |
| Massachusetts..... | 5 to 5.3 | 14,332,670 | 10,502,410 | 6,360,285 | 3,706,650 |
| Missouri..... | 30 to 33 | 13,131,927 | 2,450,550 | 617,890 | 26,730 |
| New Hampshire..... | 2.5 to 27 | 6,476,285 | 5,243,880 | 1,181,010 | 5,828,980 |
| South Carolina..... | 30 to 33 | 5,919,910 | 4,394,020 | 969,050 | 917,679 |
| Vermont..... | 0.5 to 3.1 | | | 791,080 | 529,510 |
| Virginia..... | 30 to 33 | | | | |
| Washington..... | do | | | | |
| Total..... | | 97,163,625 | 27,287,232 | 47,065,490 | 14,823,176 |
| II.—4 States that have not significantly increased prefinancing commitments, and eligible reimbursements remain essentially the same: | | | | | |
| Alabama..... | 30 to 33 | 5,308,000 | 138,000 | 5,308,000 | 138,000 |
| Colorado..... | do | 13,842 | 13,842 | 15,226 | 15,226 |
| Delaware..... | do | 855,600 | | 1,925,560 | |
| Nevada..... | do | 1,925,550 | | | |
| Total..... | | 8,142,992 | 151,842 | 8,144,386 | 153,226 |
| III.—5 States that have increased their prefinancing commitments, and at the same time have reduced amounts eligible for reimbursement: | | | | | |
| Florida..... | 30 to 33 | 956,584 | 339,280 | 7,510,110 | |
| Minnesota..... | do | 9,253,490 | 1,156,760 | 14,453,130 | 317,700 |
| Oregon..... | do | 2,322,960 | 408,660 | 6,240,630 | 95,840 |
| Tennessee..... | do | 3,419,061 | 332,759 | 12,145,295 | 32,397 |
| Wisconsin..... | 14.3 to 33 | 13,048,960 | 2,933,740 | 13,534,912 | 2,477,210 |
| Total..... | | 29,000,110 | 5,161,199 | 53,884,077 | 2,923,147 |
| IV.—17 (16 States and District of Columbia) that have increased prefinancing commitments and also increased their eligible reimbursements: | | | | | |
| Alaska..... | 30-33 | 1,269,600 | | 2,354,278 | 1,570 |
| Connecticut..... | 0.4 to 9.3 | 72,048,886 | 6,775,861 | 101,128,100 | 14,285,136 |
| District of Columbia..... | 30 to 33 | 2,918,050 | 703,373 | 52,788,250 | 712,306 |
| Hawaii..... | do | | | 1,490,610 | 44,700 |
| Indiana..... | do | 4,116,258 | 2,152,168 | 4,373,815 | 2,552,185 |
| Iowa..... | do | 1,336,260 | 26,990 | 3,361,629 | 1,012,641 |
| Kansas..... | do | 252,728 | 87,426 | 436,010 | 205,082 |
| Maine..... | do | 5,224,640 | 832,575 | 7,050,490 | 1,684,367 |
| Maryland..... | 1.4 to 9 | 55,872,720 | 22,322,888 | 74,325,541 | 26,692,654 |

Footnote at end of table.

| State | Grant range (percent) | Status, Dec. 31, 1969 | | Status, June 30, 1970 | |
|---------------------------|-----------------------|-----------------------|------------------------|-----------------------|------------------------|
| | | Financing commitments | Eligible reimbursables | Financing commitments | Eligible reimbursables |
| Michigan ¹ | 1.1 to 5.5 | 6,154,910 | 1,549,380 | 121,851,721 | 19,052,214 |
| N. Jersey ¹ | 25 to 30 | 12,091,850 | 1,693,031 | 31,415,270 | 3,811,309 |
| North Carolina | 1 to 30 | 459,402,189 | 64,307,426 | 774,783,417 | 93,575,734 |
| N. York ¹ | 30 to 55 | | | 1,895,240 | |
| Ohio | 10 to 10.5 | 4,793,797 | 924,261 | 17,043,520 | 2,073,340 |
| Pennsylvania ¹ | 4.5 to 11.4 | 30,142,740 | 10,982,707 | 30,418,197 | 13,335,830 |
| Rhode Island ¹ | 30 to 33 | 370,600 | | 150,000 | 220,000 |
| Texas | .. | 3,684,206 | 203,774 | 9,561,890 | 368,700 |
| Total | | 659,734,694 | 112,711,860 | 1,231,934,430 | 179,813,918 |

V.—18 (15 States and 3 territories) that have not prefinedanced:

| | | |
|-------------|--------------|-----------------------------|
| Arizona | Montana | Utah |
| California | Nebraska | West Virginia |
| Idaho | New Mexico | Wyoming |
| Kentucky | North Dakota | Gum ¹ |
| Louisiana | Oklahoma | Puerto Rico ¹ |
| Mississippi | South Dakota | Virgin Islands ¹ |

¹ 16 States and 4 territories eligible for 50 to 55 percent Federal funds. See table 2 for breakdown of 174 projects financed at that level over a 3-year period. All other states eligible for 30 to 33 percent Federal financing.

ENCLOSURE 8

TABLE 1.—STATUS OF FUNDS AS OF JUNE 30, 1970

| | Allotments, fiscal year 1970 | | | Allotments, fiscal year 1970 | | | Allotments, fiscal year 1970 | | | | |
|----------------------|------------------------------|---------------|----|------------------------------|--------------|------------|------------------------------|----------------|------------|------------|-----|
| | Grants, 1970 | Percent 1970 | | Grants, 1970 | Percent 1970 | | Grants, 1970 | Percent 1970 | | | |
| Total | \$800,000,000 | \$364,388,220 | 45 | | | | | | | | |
| Alabama | 14,672,000 | 1,453,307 | 10 | Indiana | 20,042,500 | 13,067,840 | 65 | North Dakota | 3,626,400 | 52,990 | 1 |
| Alaska | 1,637,900 | 1,041,680 | 64 | Iowa | 2,203,800 | 2,389,156 | 20 | Ohio | 40,850,400 | 7,895,158 | 19 |
| Arizona | 6,327,100 | 948,621 | 15 | Kansas | 13,625,800 | 630,375 | 5 | Oklahoma | 10,596,800 | 833,210 | 8 |
| Arkansas | 8,599,200 | 1,469,863 | 17 | Kentucky | 9,839,400 | 103,000 | 1 | Oregon | 8,134,100 | 8,101,700 | 99 |
| California | 65,554,900 | 22,589,338 | 34 | Louisiana | 21,983,500 | 1,107,870 | 5 | Pennsylvania | 47,524,200 | 24,094,024 | 51 |
| Colorado | 8,072,600 | 1,281,240 | 16 | Maine | 4,981,500 | 522,710 | 10 | Rhode Island | 4,341,100 | 15,174 | |
| Connecticut | 11,117,600 | 1,610,661 | 14 | Maryland | 13,550,900 | 9,958,777 | 73 | South Carolina | 11,028,700 | 9,220,958 | 84 |
| Delaware | 2,541,600 | 0 | | Massachusetts | 21,983,500 | 12,313,567 | 56 | South Dakota | 3,815,600 | 172,210 | 5 |
| District of Columbia | 3,780,500 | 0 | | Michigan | 33,033,200 | 5,473,897 | 17 | Tennessee | 15,815,700 | 12,830,251 | 81 |
| Florida | 21,353,200 | 11,840,166 | 55 | Minnesota | 14,928,100 | 12,482,758 | 84 | Texas | 40,479,900 | 8,364,590 | 21 |
| Georgia | 17,305,100 | 12,269,626 | 71 | Mississippi | 10,377,700 | 2,744,780 | 26 | Utah | 4,655,500 | 273,793 | 6 |
| Hawaii | 3,398,500 | 116,310 | 3 | Missouri | 18,690,000 | 11,969,460 | 64 | Vermont | 2,542,800 | 1,818,440 | 72 |
| Idaho | 3,743,800 | 172,095 | 5 | Montana | 3,714,500 | 211,192 | 2 | Virginia | 17,302,800 | 6,257,947 | 36 |
| Illinois | 42,287,100 | 39,660,993 | 94 | Nebraska | 6,688,600 | 151,276 | 2 | Washington | 12,528,700 | 11,984,693 | 96 |
| | | | | Nevada | 1,881,900 | 1,574,321 | 84 | West Virginia | 8,788,000 | 196,143 | 2 |
| | | | | New Hampshire | 3,369,200 | 2,770,318 | 82 | Wisconsin | 17,130,900 | 17,130,900 | 100 |
| | | | | New Jersey | 25,737,700 | 23,761,774 | 92 | Wyoming | 2,240,300 | 114,840 | 5 |
| | | | | New York | 69,938,200 | 51,839,413 | 74 | Gum | 1,667,200 | 0 | |
| | | | | North Carolina | 19,881,800 | 3,623,002 | 18 | Puerto Rico | 11,085,000 | 1,919,000 | 17 |

ENCLOSURE 9

CONSTRUCTION GRANTS AND ENGINEERING BRANCH PENDING APPLICATIONS AS OF JUNE 30, 1970

| | Applications being processed in regional office | | | Applications being processed in regional office | | | |
|----------------------|---|----------------------|-------------------|---|----------------------|-------------------|------------|
| | Number | Estimated total cost | Grant entitlement | Number | Estimated total cost | Grant entitlement | |
| Total | 524 | \$788,184,441 | \$343,855,839 | 115 | 138,498,251 | 46,985,030 | |
| Northeast | 61 | 269,343,910 | 145,187,715 | Illinois | 46 | 41,875,255 | 12,475,619 |
| Connecticut | 3 | 9,489,300 | 4,744,700 | Iowa | 8 | 1,676,644 | 510,786 |
| Delaware | 4 | 19,598,000 | 6,467,340 | Michigan | 34 | 29,113,100 | 14,454,400 |
| Maine | 1 | 264,700 | 142,350 | Minnesota | 16 | 45,085,866 | 8,905,483 |
| Massachusetts | 2 | 3,475,510 | 1,759,260 | Wisconsin | 11 | 20,767,396 | 10,638,742 |
| New Hampshire | 8 | 43,685,000 | 26,246,545 | Missouri Basin | 52 | 18,868,218 | 9,398,226 |
| New Jersey | 20 | 187,989,200 | 103,371,869 | Colorado | 6 | 750,685 | 247,753 |
| New York | 4 | 4,862,200 | 2,455,660 | Kansas | 15 | 1,753,422 | 574,058 |
| Rhode Island | 4 | 8,622,200 | 2,455,660 | Missouri | 21 | 15,470,316 | 8,305,687 |
| Vermont | 1 | 264,700 | 142,350 | Nebraska | 6 | 693,305 | 225,770 |
| Middle Atlantic | 62 | 159,122,384 | 80,401,820 | North Dakota | 1 | 85,930 | 25,779 |
| Maryland | 7 | 22,152,700 | 12,458,970 | South Dakota | 3 | 115,560 | 19,179 |
| North Carolina | 11 | 8,254,500 | 2,715,590 | Wyoming | 3 | | |
| Pennsylvania | 28 | 32,475,800 | 13,576,630 | South Central | 76 | 39,408,841 | 12,199,585 |
| South Carolina | 10 | 4,651,900 | 1,509,490 | Arkansas | 3 | 1,377,450 | 448,464 |
| Virginia | 3 | 914,300 | 270,940 | Louisiana | 2 | 185,164 | 58,967 |
| District of Columbia | 3 | 90,673,084 | 49,870,200 | New Mexico | 6 | 1,036,401 | 293,496 |
| Southeast | 72 | 68,253,159 | 18,952,512 | Oklahoma | 65 | 36,839,826 | 11,398,638 |
| Alabama | 2 | 1,582,900 | 183,090 | Texas | 2 | 256,326 | 78,438 |
| Florida | 15 | 30,234,734 | 8,873,182 | Gum | 1 | 1,881,000 | 1,034,550 |
| Georgia | 37 | 19,839,050 | 4,516,645 | Southwest | 22 | 21,498,290 | 7,150,347 |
| Mississippi | 5 | 2,260,900 | 703,470 | Arizona | 1 | 300,000 | 100,000 |
| Tennessee | 9 | 10,637,250 | 2,828,925 | California | 10 | 6,595,863 | 1,978,750 |
| Puerto Rico | 3 | 3,473,325 | 1,768,000 | Hawaii | 4 | 5,247,601 | 1,576,840 |
| Virgin Islands | 1 | 159,000 | 79,200 | Nevada | 6 | 7,217,500 | 2,381,769 |
| Ohio Basin | 46 | 43,818,888 | 14,016,994 | Utah | 2 | 256,326 | 78,438 |
| Indiana | 11 | 4,356,671 | 2,178,335 | Gum | 1 | 1,881,000 | 1,034,550 |
| Kentucky | 6 | 1,999,100 | 599,730 | Northwest | 18 | 29,371,500 | 9,563,610 |
| Ohio | 24 | 36,156,917 | 10,847,069 | Alaska | 5 | 7,338,300 | 2,414,270 |
| West Virginia | 5 | 1,306,700 | 391,860 | Idaho | | | |
| | | | | Montana | | | |
| | | | | Oregon | 6 | 19,366,700 | 6,301,710 |
| | | | | Washington | 7 | 2,666,500 | 847,630 |

NEW YORK STATE'S PROGRAM COMMITMENTS—1965
THROUGH JUNE 30, 1971

| | Amount |
|--|----------------------|
| I. State financing approved: | |
| Pure Waters Bond Authority of 1965, First Instance appropriation, 1970 (i.e., authority to underwrite a portion of the Federal share of the cost)..... | \$1,000,000,000 |
| | 750,000,000 |
| Total financing available..... | 1,750,000,000 |
| II. State commitments: | |
| A. Approved projects: 1965-June 30, 1970—\$1,776,733,263: | |
| State's basic 30 percent grant..... | 533,019,978 |
| State prefinancing (23 percent)..... | 405,158,727 |
| B. Planned projects: Fiscal year 1971—\$1,515,330,000: | |
| State's basic 30 percent grant..... | 454,599,000 |
| State prefinancing (18 percent)..... | 1,273,000,000 |
| Total..... | 1,665,777,705 |
| Recap: | |
| State basic 30 percent grant (from \$1,500,000,000 bond authority)..... | 533,019,978 |
| Approved projects..... | 454,599,000 |
| Planned projects..... | 987,618,978 |
| Total..... | 1,675,237,956 |
| State prefinancing (from \$750,000,000 First Instance) | |
| Approved projects..... | 405,158,727 |
| Planned projects..... | 1,273,000,000 |
| Total..... | 1,678,158,727 |
| III. Prefinancing, New York and its municipalities (by June 30, 1971):¹ | |
| A. State: | |
| 1965-June 30, 1970..... | 405,158,727 |
| Fiscal year 1971..... | 1,273,000,000 |
| Subtotal..... | 1,678,158,727 |
| B. Local: | |
| 1965-June 30, 1969..... | 369,624,690 |
| Fiscal year 1971..... | 378,832,500 |
| Total..... | 748,467,190 |
| Total prefinancing..... | 1,426,615,917 |

¹ These figures assume an additional allocation of \$112,000,000 in fiscal year 1971. If not, they will be correspondingly higher.

FIREMEN'S COMPENSATION

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 7, 1970

Mr. EILBERG. Mr. Speaker, on October 7, I testified before Subcommittee No. 2 of the House Committee on the Judiciary in support of H.R. 795, which I have sponsored. This is similar to H.R. 7989 and related bills.

H.R. 795 has as its purpose to provide compensation for firemen not employed by the United States killed or injured in the performance of duty during a civil disorder, and also for their dependents.

Since this issue is so timely, I take the liberty of spreading my statement on the Record for the possible reading of all my colleagues:

STATEMENT IN SUPPORT OF H.R. 795 HOUSE
JUDICIARY SUBCOMMITTEE NO. 2

Mr. Chairman and Members of the Subcommittee, I appreciate this opportunity to testify in support of H.R. 795, a bill which would provide compensation for firemen not employed by the United States who are killed

or injured in the performance of duty during a civil disorder. May I begin by extending my compliments to the Chairman of this Subcommittee, the Honorable Gentleman from Massachusetts, for his foresight in holding these hearings.

In recent months, particularly with the competition of university sessions last spring, there were many incidents involving the safety of firemen.

In Washington, D.C. firemen trying to reach arsonists' blazes on the American University campus were pelted with stones until the police moved in with tear gas.

Earlier, youth at Howard University in the Capital drove off firemen responding to an alarm, then set the fire truck afire.

While most jobs are becoming safer, fighting fires is growing steadily more hazardous, a situation that is severely hampering recruiting. The number of fire fighters killed annually in line of duty since 1964 has more than doubled, from under 40 to 92 last year. The major cause of such deaths used to be smoke inhalation, according to a spokesman for the International Association of Fire Fighters. More recently, however, the fireman is in peril due to his assistance in civil disorders besetting the country. The disorders of 1969-70 have shown sporadic fires set purposely. Over 600 firemen were injured due to civil disorders last spring alone.

In fact, the United States Department of Labor rates fire fighting as the second most hazardous occupation after mining.

The recent harassment of the firefighting approaches guerrilla war. Rocks and bottles are commonplace; Molotov cocktails have been thrown at trucks; windshields have been shattered by snipers' bullets. Firemen entering a burning building have had to dodge heavy objects hurled from the roof. A major problem is that arsonists lure firemen out of position with false alarms before applying their torches, and then set booby traps: loosened fire escapes, weakened stairs, and sheets of cardboard placed over holes in the floor.

State laws providing benefits for the dependents of policemen and firemen killed in the line of duty vary widely. A survey conducted by the American Law Division of the Legislative Reference Service in mid-1969 indicated that, exclusive of workmen's compensation laws or general pension plans, nineteen States provided no special benefits. Twenty-four states did provide benefits to dependents of firemen and policemen in the event of death in the line of duty though some restricted availability of benefits on the basis of the cities the men served. Three States restricted the benefit program to firemen, and four States limited it to policemen. While there may have been changes in the past year, this is an indication of the wide range of variations in the programs in the different States.

The legislation I am sponsoring would provide security for the firemen and the families of these men, who must face the anxiety of harassment, injury and sometimes death, each time a fire alarm is pulled in a local neighborhood. Security would be provided for this civil servant who willingly extinguishes the fires of his city, his State and his nation.

The 90th Congress enacted legislation—Public Law 90-291—which became law on April 19, 1968, which, for the first time, provided benefits for law enforcement officers employed by State or local governments who might be killed or seriously injured while apprehending violators of national law. I had the pleasure of co-sponsoring this legislation. While this was a step forward, it did not apply to firemen who are injured or killed while on duty, or to policemen fatally injured while performing non-Federal duties.

Such expanded coverage would be justified because the job of law enforcement and fire protection has, in many respects, become a national responsibility.

In 1969, while introducing similar legislation, Senator Birch Bayh pinpointed the issue: "Whenever a public safety officer dies or is seriously injured while protecting his fellow man, his sacrifice and that of his family have been in the interest of the whole Nation."

He continued, "Accordingly Congress should recognize this national responsibility by helping compensate those who become casualties in the common task of preserving law and order. Our country owes them no less than a guarantee that neither they nor their dependents will suffer undue economic disadvantage because of physical harm which has befallen them while answering their call to duty."

As President Johnson observed in his 1966 crime message to Congress, "Crime does not observe neat jurisdictional lines between city, State and Federal Governments."

Therefore, it is a responsibility of the Federal government to help relieve the suffering and loss of earning power resulting from deaths or injuries suffered by firemen, whether or not a specific attributable Federal function can be proven to be involved.

A chief sponsor of this legislation, the Honorable Andrew Jacobs, explains the underlying premise of such Federal legislation saying, "Congress has made the determination in its passage of legislation creating the Law Enforcement Assistance Administration that there is a Federal interest in the fight against crime. It seems most callous for the Federal Government to aid in the funding of the fight against crime, yet turn its back when one of our law enforcement officers should fall in that battle."

The benefit program provided by H.R. 795 would be supplementary to and adjusted in accordance with any State or local compensation to which a fireman was already entitled, except that any amounts which the employees had contributed to the fund would not be deducted from the Federal payment.

While H.R. 795 applies specifically to firemen, the exact procedure by which assistance is extended to the families of public safety officers killed in the line of duty or to those who become totally disabled is basically immaterial. I will support any plan that would give aid and comfort to police and firemen who face such daily dangers.

In sitting through the ashes of the recent civil disturbances, this man on the front lines of the urban and university crisis is a human factor that cannot and must not be overlooked. I urge immediate passage of this protective legislation to which he is entitled and which is long overdue.

Thank you.

MAN'S INHUMANITY TO MAN—HOW
LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 7, 1970

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,500 American prisoners of war and their families.

How long?

HOPE FOR THE ENVIRONMENT

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 7, 1970

Mr. ROBISON. Mr. Speaker, it has only been recently that we as a nation have taken a good hard look at our environment and what man has done to degrade the bounty of nature, but fortunately when we took that hard look, what we saw scared us into action. In our growing affluence, we had forgotten the first rule of the road that you do not—indeed cannot—destroy the system upon which you rely for your very existence. There is much that must be done to correct past abuses, some of which may not bear fruit in our lifetimes; but unless we wish to pass to our children the legacy of a dying planet, we must deal with the problem now. Rhetoric and hysterics are not needed—what is needed is a reasoned attack on the problem.

I offer for the consideration of my colleagues an article written by the president of the Conservation Foundation, Mr. Sydney Howe, which appeared in the fall 1970 issue of *Water Spectrum*. This article, better than any other which I have seen, describes the need for a balanced and rational approach to our environmental problems. Mr. Howe sees the recent concern over the environment as giving us new hope for environmental quality. Mr. Howe's article follows:

NEW LOOK IN CONSERVATION BRINGS NEW HOPE FOR ENVIRONMENTAL QUALITY

(By Sydney Howe)

We are in a time of exploding public recognition that the house of man has some rotten beams. The decay is not news to early observers of pollution, blight and unbalanced human crowding, but the vast new public recognition is their best news in years. Now we have a chance to stop decay, perhaps even to restore our house for those who follow.

Historically, American conservation has focused upon the preservation of wildlife and wild places, the productivity of soils, forests and waters, and recreation for mobile people. Great accomplishments by dedicated workers in these fields have given the country a singular heritage which must be conserved and expanded. But now there is a "new look" in conservation.

Charles C. Johnson, Jr., head of HEW's Environmental Health Service and an outspoken new conservationist, described it well when he commented recently that the "narrower ethic of the conservation movement which emphasized rural or wilderness preservation [has] of necessity been broadened to encompass the whole environment of man."

The new litany of environmental issues is recited often. For the sake of definition, I would emphasize air, water and noise pollution, solid waste disposal, metropolitan crowding and blight, urban recreation demands, highway location and design, and pervasive pesticides and radioactivity. All stem from a rampant technology which, with all its blessings, brings unwanted or unsensed byproducts. The same technology multiplies pressures upon basic natural resources, making their conservation more complex.

As the concerns of conservation have broadened, so has the variety of people and groups striving to respond. Citizens are reacting to signs of change they do not like by voting increasingly for environmentally aware candidates and for bond issues to treat waste and save open space. When given the opportunity, they turn out in surprising numbers to testify for a better environment. More and more frequently, the activists include professionals in law, biology, engineering, chemistry, economics, government, medicine and many other fields. In many communities across the Nation, sophisticated volunteer experts are bringing a potent new dimension to public concern.

New organizations and new coalitions are forming to fight environmental battles. Perhaps most conspicuous are the new regional groups demanding strict air pollution control at State hearings required by the (Federal) Air Quality Act of 1967. These coalitions include familiar conservation forces, health groups, women's clubs, civic organizations, students and union members. With the backing of scientific and legal expertise, they add up to political clout that is heard and felt where decisions on clean air standards are made.

On a national level, a confrontation with Federal budget restrictions on grants for municipal waste treatment was pressed by an ad hoc "Citizen's Crusade for Clean Water" in the spring of 1969. The Crusade was conceived among more or less traditional conservation groups, which have fought long and hard for clean water, but with the wisdom that others who now share their conviction are more powerful. The resulting lineup included the National Association of Counties, National League of Cities, U.S. Conference of Mayors, League of Women Voters, Consumer Federation of America, U.S. Conference of City Health Officers, AFL-CIO, United Automobile Workers and the United Steelworkers of America.

As the Crusade's huge constituency piled messages into Washington from across the country, legislators already seeking an expanded grant program began to get through to their colleagues—ultimately a majority of them. Congress turned an Administration request for \$214 million in fiscal 1970 into an appropriation of \$800 million.

There will be many more ad hoc coalitions in the future as specific environmental issues face decision or neglect. There will be more permanent coalitions, as well, of the kind originated by the California Planning and Conservation League, The Colorado Open Space Council, and Conservation 70's in Florida. These and other councils forming almost daily are meeting grounds of broad environmental interest, where common positions are hammered out, following study and discussion, and then are advanced in unison by many groups.

Equally important will be the emergence of staffed "environmental service centers" which provide information, hold training workshops and sponsor studies for which a wide range of environmental interests have common need. The Rocky Mountain Center on Environment and the Potomac Basin Center have been created solely to serve others. Many good membership organizations, local and national, also extend such services far beyond their own constituencies.

In the northeast States there are already hundreds of town conservation commissions—units of local government which enable citizens to participate effectively in decisions on their environment. There are efforts afoot to spread this concept to county and municipal governments throughout the country, and the time is just right.

More lawyers are applying themselves to environmental problems, both as paid counsel to citizen groups and as volunteers. They are filing many legal actions to halt environmental degradation. They constitute a force which, in the next 5 or 10 years, may well change the rules of environmental management, especially by tying down constitutional interpretations defining the public's right to a clean environment.

Consumers and their organizations are espousing environmental causes as pollutants extend into almost every realm of life. And, of course, the students of the country are fast becoming one of the most potent forces for restoration of man's home. They are just organizing, but the ferment on college campuses is loud and growing, and is quite properly leveled at past errors of the "establishment." The Environmental Teach-Ins held on many campuses are just a beginning.

Another kind of broadening of the conservation base should be expected. So far, this field has been largely the terrain of middle and upper class whites. But the poor and the immobile have an equal stake in environmental quality. They are being pressured by other pressing problems, but their interest in the urban environment is bound to expand. Inadequate open space and fouled air and water do their greatest harm to those who lack the outlets of escape.

Many persons consider the present proliferation of environmental organizations to be confusing and inefficient. Sometimes it is both. But there may be strength and health in such diversity. In my experience, the useful organizations survive because they have good people who advance their missions well. They find, almost by tacit agreement, that each organization has a special arena in which it excels, and that there are many ways to scratch one another's back. And, with so many persons seeking vehicles to press their own concerns for the world around them, it should not be surprising that the existing ones do not always suffice. The upshot is many "conservation" voices, more often in unison than not, with generally positive effects.

I do worry about the newly concerned citizen who feels he must sort it all out before he accepts the word of this or that group. There are great needs for broadly-based, non-governmental national and regional centers of information and guidance on environmental issues.

It goes without saying that governments at all levels are beginning to reflect public impatience with environmental insults. As President Nixon signed the National Environmental Policy Act of 1969, he said, "The 1970's absolutely must be the years when America pays its debt to the planet by reclaiming the purity of its air, its waters, and our living environment. It is literally now or never." The Act not only establishes a high-level Council on Environmental Quality to advise the President, it also directs all Federal agencies, to the fullest extent possible, to include in every recommendation for legislation and other actions significantly affecting the human environment detailed statements of their probable impacts. These statements must define alternatives to the proposed action and the relationship between local short-term environmental effects and the maintenance and enhancement of long-term productivity. Agencies are also directed to review their present authority and regulations, policies and procedures, to see if they are consistent with the purpose of the new law.

In sum, then, there is a broad environmental awakening across the land. It in-

volves new people, new coalitions and new laws. It is fueled by impatience and intolerance for continued environmental degradation, and by determination to do something about it. As a result, environmental conservation has achieved a great momentum.

What, then, does all this portend? What does it mean for those government agencies, such as the Corps of Engineers, which have important mandates and duties which do not necessarily blend smoothly with values dear to environmentalists? Put another way, "How can development and conservation organizations work more effectively together to serve the public interest? Indeed, can they? Or must they always be on opposite sides of the ramparts?"

To this, I can only answer no, they need not always be on opposite sides. And even when they are, this is not necessarily bad.

Much of the democratic system is based on healthy confrontation between men of strongly opposed views. This is not only stimulating and interesting; it also aids the search for right answers. There are two sides—or more—to every question, and it is important that all sides see the light of day in close examination. In the evaluation of any project affecting the environment, it is important to assess all the costs and all the benefits, and there is a sensible trend in this direction.

When I say healthy confrontation, I mean several things. I mean an honest and responsible espousal of differing opinions and alternatives; a mutual respect for the assessments of others; a patient willingness to sit down and talk, and to listen; an honest attempt to cooperate and, in many cases, to discover what the other fellow and his constituency will swallow as a credible compromise!

Before discussing some techniques for cooperation, I would like to digress for a moment, into personalities, as it were. There is often a tendency to condemn or belittle conservationists as over-excited, negative and irresponsible, blindly opposing any project or program involving development. In other quarters, there is a tendency to condemn all "developers" as destroyers and polluters of the environment. There have been excesses, certainly, in both directions. This should not be surprising in view of the fact that environmental quality—so important and personal to almost everyone—is at stake.

Clouds of pollution, filthy and smelly waters, ugly strips of land along highways, destruction of natural valleys—all these products of growth and development trigger emotional reactions in people. This is perfectly natural. People who get riled up and do things are important in our society. I would make two observations on this. First I would suggest that, even in cases where emotion seems to grab the upper hand over reason, those who disagree with the emotions expressed do so with some tolerance for the vehemence or lack of objectivity that may accompany them. There are few in this world who can maintain both a supreme calm and objectivity when dealing with complex, emotion-laden issues. It is only natural to fight for one's views aggressively and we are speaking of verbal, not physical militancy, if only to effectively counter those of the opposition.

Secondly, I would suggest that conservationists—while not abandoning the emotional involvement which gives rise to their efforts—take pains to educate themselves on their subjects, so that their arguments are as knowledgeable and responsible as possible, and their suggestions are rational and positive. Indeed, this is the approach which they are rightfully demanding of those they criticize.

We sometimes hear such statements as "Lake Erie is dead," and others which have a categorical, doomsday ring. A responsible conservationist may find such statements unconvincing, because they are not completely true, or not provable, or not technically accurate. In short, they are rhetorical rallying cries. Few would argue with "Much of Lake Erie is dead or dying and is beyond restoration in our time," but who wants to rally under that? At the same time, those who present or pursue slogans alone will and should find the real environmental infighting beyond them. I know and admire many erstwhile laymen who, having versed themselves in the basic knowledge of environmental science, law and government, influence public policy constantly because legislators and administrators respect them. These people don't worry much about slogans.

The question we need to come to grips with is this: How can conservation and development interests come together for effective problem-solving? One basic need, whenever "the public interest" is at stake, is greater effort to involve the public in decision-making. And as early as possible. Not after plans have been firmly set, priorities set, preliminary decisions made. Not when there is nothing left for the public to do but react, because this automatically induces the negative response so widely derided by would-be developers. It is illustrative to recall that years of bitterness, court fighting and administrative turmoil went by before the public won the right, by Federal law, to meaningful participation in highway planning.

Developers and planners should learn what all kinds of people really want, even if this means reaching out beyond the public hearing process. They should welcome the give-and-take, for it is a challenge, and a more interesting challenge than parroting, in-house decision-making. Developers and planners should give the public complete and unbiased information, so that the public interest can be recognized in full. There can be great value, also, in regular informal dialogue between conservationists and developers. There must be open doors and open minds, as well as open hearings.

On the institutional side, there is no doubt that development-oriented agencies, including the Corps of Engineers, are expanding their own environmental outlook and staff capacities. Some special agencies have been created to let diverse interests share in environmental judgments. One such agency is the San Francisco Bay Conservation and Development Commission, whose name is significant—conservation and development. Last year, the BCDC was given permanent status by the California legislature. Its plans for San Francisco Bay involve not only a large measure of beauty and human enjoyment, but sensible allowances for commercial development which meets carefully conceived qualifications.

The BCDC has had no less than 27 members, representing almost every conceivable viewpoint on San Francisco Bay. They met frequently while developing an initial plan, and every member was subjected to the same exhaustive information concerning the Bay and pressures upon it. Their ultimate agreement on a plan that would conserve the Bay was almost unanimous. I know of no more vivid, current and promising convergence of conservation and development forces.

The Conservation Foundation is engaged in a series of demonstrations which may help resolve conflicts between conservation and development. One Foundation project is concerned with development-prone lands surrounding the National Audubon Society's

Rookery Bay Sanctuary, just south of Naples, Fla., on the gulf coast. We have concluded that the area "can be profitably developed by private owners and at the same time the Sanctuary can be safeguarded by proper planning and development." In fact, we found that protection and enhancement of the Sanctuary are basic to profitable quality development of the surrounding area and will advance the economic self-interest of the developers. Our report recommends creation of a single mechanism to coordinate planning and development, and suggests specific actions by local authorities, landowners and developers. The county board has passed a resolution supporting these recommendations, which, we are advised, have influenced a number of other development projects.

Another Foundation project in the series involves the Tincum Marsh area adjacent to the Philadelphia airport. In addition to planning for wise use of the marsh, there is concern for disruptive effects of interstate highway I-95. Significantly, the Tincum Project Committee is not fighting the location of the highway, but is merely seeking adoption of techniques to minimize its environmental damage.

At Bollinas Lagoon, on the Pacific shore just north of San Francisco, the Foundation is engaged in evaluation of ecological factors attending dredging, highway-fill and other development proposals. Ecologists, possessing a still very inexact science, are reluctant to predict the impacts of alternative development schemes, but planners and the public have great need for their best possible estimates. So we are sticking our necks out at Bollinas, hoping to sharpen decision-making criteria for local citizens and planners.

A few years ago the Foundation sponsored a study by the Landscape Architecture Research Office of Harvard University's Graduate School of Design. The result was a report entitled "Three Approaches to Environmental Resource Analysis," focusing on a portion of the Delmarva Peninsula between Chesapeake Bay and the Atlantic. We were pleased that the Corps of Engineers (New England Division) thought enough of the study to contract with the Research Office at Harvard to do a sequel. One report was published last August—"A Comparative Study of Resource Analysis Methods."

Given the history of American conservation and development, it is hard to envision a time in the future at which there will not be contending forces in the quest for environmental quality—be it flood control, recreation development, preservation of natural areas, or even pollution control. With the growing demand for stricter, more comprehensive analysis of alternatives, there must be more attempts by all sides to cooperate in finding solutions.

Population must be controlled, but for the visible future we must expect great development to serve those already born. There are more than enough of us here now to mess up the land we have left, unless we find and adopt forms of development which respect natural systems and human needs.

A lot of money and seemingly endless time are involved in environmental decisions. Both the benefits and the costs are measured on a massive scale. The impact of many individual projects and the broad development policies applied by public and private authorities are shaping our future. There will be many more squabbles and some knock-down, drag-out brawls, but these can be minimized by men of good will who strive for understandings which can endure.

This is a time for rational application of resource management principles and techniques based on ecological imperatives, while there is still time to reverse the process of environmental destruction.

OUR NATION IN PERIL

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 7, 1970

Mr. FISHER. Mr. Speaker, the Daily Oklahoman of Oklahoma City, one of the great newspapers in the United States, carried a front page editorial on the 30th of September which I think should be brought to the attention of all of the Members of the House. The editorial writer for the Oklahoman got the message of Chairman L. MENDEL RIVERS' great speech on the floor of the House on September 28 and performed an important service in bringing this message in crisp language to the attention of his readers. The editorial will provoke thoughtful reflection in the minds of all who read it. I call it to the attention of all my colleagues.

OUR NATION IN PERIL

The United States is "in terrible jeopardy and the future of this nation hangs by a thread." This is the statement of the man who should know better than perhaps anyone else the overwhelming superiority of Russian military power on land and sea as compared to the deteriorating and enfeebling condition of our Navy and to a considerable extent, our Air Force.

Congressman L. Mendel Rivers, chairman of the House Armed Services committee, in a speech to the Congress, at long last made public the deplorable deterioration of our military power. Chairman Rivers declared, "We seem hell-bent on national suicide."

This is the first time that a congressman has sounded such a warning of our national danger while the majority of congressmen are still clamoring for further reductions in our defense budget in order that money may be switched to other channels to create more popular votes for their reelection.

For five years, the United States built no submarines and during the same period Russia has built hundreds. It now has an assembly line producing one new nuclear submarine each month. The United States has a thousand Minuteman missiles in place, each Minuteman about one megaton in size while Russia has hundreds of SS-9 missiles each carrying a warhead of 25 megatons.

Secretary of Defense Laird announced last April that the United States had reduced its megatonnage by more than 40 per cent. Russia has now deployed 10,300 megatons compared to the United States' total of 8,500. Russian surface ships, both Navy and some merchant marine, are equipped with nuclear missiles while our navy has not been allowed to place nuclear missiles on surface ships.

Just last week it was announced that Russia is building a submarine base in Cuba. We know that the Gulf of Mexico is now a playground for Russian submarines armed with nuclear missiles and Russian submarines are frequently seen off our Atlantic coast.

Since the Air Force first deployed our B-52 bombers, Russia has produced three new types of bombers and our only new bombers are scheduled for production in 1974.

Nearly all our Navy surface vessels are old, many of them over 20 years, and we are continually discarding ships to the mothball fleet.

For our nation there is nothing so important as the ability to survive but Chairman Rivers says, "We seem hell-bent on national suicide."

The question is, will Congress or the people of this nation wake up in time to prevent our national destruction?

CXVI—2261—Part 26

THE SIDE-LINES ARMY

HON. WILLIAM T. MURPHY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 7, 1970

Mr. MURPHY of Illinois. Mr. Speaker, I recently came across an interesting article in a September issue of the Oil Daily. The article deals with the tragic waste, both in the military and in industry, of many capable and qualified people who have had to retire from positions that they have had for many years. In a large number of cases, the military and industries have turned away people who are both physically and mentally willing and able to continue with their work and the employees are forced to leave their life's work at a time when their interest and abilities are still good. I believe the following article expresses this problem quite clearly:

THE SIDE-LINES ARMY

(By Keith Fanshier)

One may have frequent opportunity in goings-and-comings around the country to make contact with longtime oil industry friends now on the retiree list, and not simply those active in industry responsibilities. This writer has such privilege.

These people are not exactly the forgotten men. Most still receive annuity payments. Yet strangely enough all too many of the thousands upon many thousands of these people seem to make up a decidedly reserved sort of "silent majority" insofar as concerns any meaningful continuing relation with the industry and its affairs.

It is striking, and not too comforting to the good of the industry, that all too many of these vast army are far from happy with their old industry—or certainly not with their specific former employer. They do not feel a part. They not only are in a sense withdrawn from constructive relationships. Many of them are decidedly a negative factor, not just capable of, but actually, wielding unfavorable attitudes with their "public" and in their general social relationships toward this same oil industry.

The subject admittedly is too complex to cut across it with a single stroke applicable to all cases and the whole phenomenon. And admittedly, there are still many loyal old-time industry and company "fans." These are bound to be a fine asset. But our own concern, and we think it should be one of the whole industry, is the waste and the loss and the danger to industry well-being represented by the others.

In the many problems and needs of this industry, with its perils and its enemies, one of the most potent positive forces for helping to protect and aid it should be this vast number of "graduates." They in effect are a potential "Peace Corps" out where the generally-thought-of kind of action doesn't happen. But in a grass-roots environment where another kind of action very definitely does happen. Not only is their total accumulative influence enormous, but each individual impact upon his personal world of contact is peculiarly influential. To all his acquaintances, he in effect is this industry.

All this is not to berate industry and company policy. Such policy embraces heavy and complex responsibility, especially in these days of extraordinary pressures on all sides. And it is true that apparently there are many relatively and reasonably happy members of this "army." It also is true that it is true that it is the nature of the human animal to tend to criticize and to magnify the ills of a situation.

But, instead, this is simply a current report that in this vital segment of industry people, good will is not as extensive as it should be in particularly sensitive but oft-overlooked potential element for advancing the cause of this great industry.

At a time when the industry certainly needs every friend it can have, every erg of energy industry management can apply in any direction that could enhance this situation—would seem capable of manifold return.

NATIONAL GALLERY OF ART CALENDAR OF EVENTS: OCTOBER 1970

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 7, 1970

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to place in the CONGRESSIONAL RECORD the Calendar of Events for the month of October 1970 of the National Gallery of Art.

In addition to the outstanding schedule of events, the National Gallery now has on exhibition its most recent acquisition "The Artist's Father" by Paul Cézanne, which was acquired through the generosity of Paul Mellon. Also, during the month of October, the Gallery will continue the fall showings of "Civilisation," Sir Kenneth Clark's excellent film series.

The calendar follows:

NATIONAL GALLERY OF ART—CALENDAR OF EVENTS

RECENT ACQUISITION

The Artist's Father by Paul Cézanne, the Gallery's most important single acquisition since the Leonardo da Vinci in 1967, goes on exhibition September 29 in Lobby D. The painting, shown only twice publicly and never in the United States, was acquired through the generosity of Paul Mellon, President of the National Gallery.

The life-size portrait is the earliest (1866) and largest (78½ x 47 inches) of the Gallery's twelve paintings by Cézanne, the most important and influential of those artists working in the late 19th-century. The portrait was painted when Cézanne was only twenty-seven and just beginning to gain a small amount of recognition—this in part due to Emile Zola, the novelist and at the time a critic for the widely read Paris newspaper *L'Evénement*.

In May of 1886, Zola had published a letter supporting Cézanne and stressing how much he had profited from their ten-year-old friendship. In reply to this tribute, Cézanne, according to the noted art historian John Rewald, portrayed his banker father reading *L'Evénement*.

Posed frontally and painted with sharp contrasts, Louis-Auguste Cézanne is seen as a strong and distant personality, which indeed he was. He controlled his son's life, but at least allowed him financial security so that he never had to think of customers for his pictures.

MARY CASSATT 1844-1926

Continuing on view in the Central Galleries through November 8, an exhibition of one hundred works by Mary Cassatt, including oils, pastels, and graphics, the largest exhibition ever held of the work of this important American Impressionist. Included are a number of paintings never before shown in the United States as well as seldom-seen pictures from the Cassatt family and several European collections.

This exhibition is being shown only in

Washington and is the sixth in a series of retrospectives which the National Gallery has organized honoring important American artists, the first to honor a woman. A fully-illustrated catalog (\$4.75) and a full color poster in a limited edition, featuring *The Boating Party*, a painting in the collection of the National Gallery, are available in the Gallery's publications rooms adjacent to the exhibition. The poster is on sale for \$5.00 during the exhibition, \$10.00 afterward.

RECENT GRAPHIC ARTS ACQUISITIONS

This exhibition, featuring an important and rare landscape drawing by Sir Anthony van Dyck, formerly in the collection of Jonathan Richardson, Sr., and Sir Joshua Reynolds, will be on view in Gallery G-19 from October 5 through November 15. Other works include prints by Pieter Bruegel the Elder, José Ribera, Salomon Koninck, Jean-Baptiste Oudry, Camille Pissarro, John Sloan, and Max Beckmann.

THE INFLUENCE OF REMBRANDT ON 19TH-CENTURY LANDSCAPE PRINTS

This exhibition, exploring the impact of Rembrandt's treatment of nature upon the landscape prints of several 19th century and early 20th century artists, will be on view in the east ground floor corridor from October 10 through November 30. These include Jean-Baptiste-Camille Corot, Seymour Haden, Charles Francois Daubigny, Alphonse Legros, and Muirhead Bone.

FALL "CIVILISATION" SHOWINGS CONTINUE

The Fall showings of "Civilisation," which began on September 13, will continue through December 12. Each week, one film of the thirteen part series by art historian Kenneth Clark will be shown daily at 12:30 and 1:30 p.m. in the Auditorium. No tickets needed for admission, which is on a first-come, first-served basis.

GALLERY AND CAFETERIA HOURS

The Gallery is open weekdays and Saturdays, 10:00 a.m. to 5:00 p.m., and Sundays, 12 noon to 10:00 p.m. Cafeteria hours: weekdays, 10:00 a.m. to 4:00 p.m.; luncheon service 11:00 a.m. to 2:30 p.m.; Sundays, dinner service 1:00 to 7:00 p.m.

Monday, September 28, Through Sunday, October 4

*Painting of the Week: Degas. *Four Dancers*, (Chester Dale Collection), Gallery 85, Tues. through Sat. 12 & 2; Sun. 3:30 & 6.

Tour of the Week: *Classical Subjects Outside of Italy*, Rotunda, Tues. through Sat. 1; Sun. 2:30.

Tour: *Introduction to the Collection*, Rotunda, Mon. through Sat. 11 & 3; Sun. 5.

Sunday lecture: Degas: *Movement, Space, and Time*, Guest Speaker: Lincoln F. Johnson, Professor of Fine Arts, Goucher College, Baltimore, Auditorium 4.

Weekday Film—"Civilisation," III: *Romance and Reality*, 12:30 & 1:30.

Sunday film—"Civilisation," IV: *Man—The Measure of All Things*, 12:30 & 1:30.

Sunday concert: *Beethoven and His Contemporaries*, National Gallery Orchestra, Richard Bales, Conductor, Virginia Eskin, Pianist, East Garden Court 7.

"11" x 14" reproductions with texts for sale this week—15c each. If matted, 25c each.

MONDAY, OCTOBER 5, THROUGH SUNDAY, OCTOBER 11

*Painting of the Week: Piero della Francesca. *Saint Apollonia* (Samuel H. Kress Collection) Gallery 4 Tues. through Sat. 12 & 2; Sun. 3:30 & 6.

Tour of the Week: *The Mary Cassatt Exhibition*, Central Gallery Tues. through Sat. 1; Sun. 2:30.

Tour: *Introduction to the Collection* Rotunda Mon. through Sat. 11 & 3; Sun. 5.

Sunday lecture: *Women Artists, Speaker:*

Margaret Bouton, Curator in Charge of Education National Gallery of Art, Auditorium 4.

Weekday film—"Civilisation," IV: *Man—The Measure of All Things*, 12:30 & 1:30.

Sunday film—"CIVILISATION," V, *The Hero as Artist*, 12:30 & 1:30.

Sunday concert: *Beethoven and His Contemporaries*, National Gallery Orchestra, Richard Bales, Conductor, East Garden Court 7.

Inquiries concerning the Gallery's educational services should be addressed to the Educational Office or telephoned to (202) 737-4215, ext. 272.

MONDAY, OCTOBER 12, THROUGH SUNDAY, OCTOBER 18

*Painting of the Week: Nattier. *Joseph Bonnier de la Mosson*, (Samuel H. Kress Collection) Gallery 53, Tues. through Sat. 12 & 2; Sun. 3:30 & 6.

Tour of the Week: *Late Nineteenth-Century French Painting*, Rotunda, Tues. through Sat. 1; Sun. 2:30.

Tour: *Introduction to the Collection*, Rotunda, Mon. through Sat. 11 & 3; Sun. 5.

Sunday Lecture: *Mary Cassatt and Degas*, Guest Speaker: Adelyn D. Breeskin, Curator of Contemporary Art, National Collection of Fine Arts, Washington, Auditorium 4.

Weekday film—"Civilisation," V: *The Hero as Artist*, 12:30 & 1:30.

Sunday film—"Civilisation," VI: *Protest and Communication*, 12:30 & 1:30.

Sunday concert: *Beethoven and His Contemporaries*, Zsigmondy Violin-Piano Duo, East Garden Court 7.

All concerts, with intermission talks by members of the National Gallery Staff, are broadcast by Station WGMS-AM (570) and FM (103.5).

MONDAY, OCTOBER 19 THROUGH SUNDAY, OCTOBER 25

*Painting of the Week: Rubens. *The Meeting of Abraham and Melchizedek* (Gift of Syma Busiel) Gallery 41A, Tues. through Sat. 12 & 2; Sun. 3:30 & 6.

Tour of the Week: *The Mother and Child Theme*, Rotunda, Tues. through Sat. 1; Sun. 2:30.

Tour: *Introduction to the Collection*, Rotunda, Mon. through Sat. 11 & 3; Sun. 5.

Sunday lecture: *The Formation of "Art Galleries" in European Palaces*, Guest Speaker: Wolfram Prinz, Art History Institute Johann Wolfgang Goethe University, Frankfurt, Auditorium 4.

Weekend film—"Civilisation," VI: *Protest and Communication*, 12:30 & 1:30.

Sunday film—"Civilisation," VII: *Grandeur and Obedience*, 12:30 & 1:30.

Sunday concert: *Beethoven and His Contemporaries*, Philip Lorenz and Ena Bronstein, Pianists, East Garden Court 7.

For reproduction and slides of the collection, books and other related publications, self-service rooms are open daily near the Constitution Avenue Entrance.

SEEKS TO IMPROVE PLIGHT OF AMERICAN POW

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 7, 1970

Mr. BUSH. Mr. Speaker, today I sent the Honorable Charles Yost, U.S. Ambassador to the United Nations, a letter urging that he use all powers of his office to obtain the cooperation of that organization in working to see that the plight of American prisoners of war in North Vietnam is improved. In the hope

that this action might precipitate other innovative actions, I include this letter in the RECORD at this time:

October 7, 1970.

HON. CHARLES YOST,
Ambassador to the United Nations,
United Nations Building,
New York, N.Y.

DEAR MR. AMBASSADOR: The horror of the treatment American prisoners of War are receiving at the hands of the Viet Cong and the North Vietnamese is, I think you will agree, appalling.

The use of United States prisoners of war as a negotiating pawn is an unforgivable breach of the elementary rules of conduct between civilized peoples and totally disregards the Geneva Convention on Humane Treatment of Prisoners signed by North Vietnam and 125 other countries. Secluding the prisoners, depriving him of all contact with the outside world, and not permitting him to receive mail or packages, not informing his family whether he is well or alive, are indeed, most inhumane.

I strongly urge that you use the powers of your office to bring this deplorable situation before the United Nations, urging that the North Vietnamese comply with the Geneva Convention provisions on POWs which they signed in 1957. This includes the identification of prisoners, free exchange of mail between POWs and families, impartial inspection of POW camps, and release of seriously ill or injured prisoners. I also urge that you call upon the other countries, who were parties to the 1949 Geneva Convention, to pursue this same goal.

With best wishes, I am

Yours very truly,

GEORGE BUSH,
Member of Congress.

STATEMENT OF MR. ASHLEY ON LEGISLATION TO AUTHORIZE A MID-DECADE CENSUS OF POPULATION, EMPLOYMENT, AND HOUSING

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 7, 1970

Mr. ASHLEY. Mr. Speaker, I introduce, for appropriate reference, a bill to provide a mid-decade census of population, employment, and housing in 1975 and every 10 years thereafter. This bill is sponsored by 21 members of the House Banking and Currency Committee, which feels very strongly that, at least in the field of housing, the Federal Government simply must have more recent and useful basic data to legislate effectively in our housing programs. This legislation has been considered by the Subcommittee on Census and Statistics of the House Post Office and Civil Service Committee over several Congresses, and, in fact, was once passed by the House. The Senate, however, did not take action. The Subcommittee on Census and Statistics has recently completed hearings on the need for a mid-decade census. I am authorized by the House Banking and Currency Committee to introduce this bill and subsequently to submit a statement to that subcommittee. On behalf of the House Banking and Currency Committee, I urge favorable action on this legislation.