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COMMITTEE PRINT

SUMMARY

OF

LEGISLATIVE ACTIVITIES

AND

ACCOMPLISHMENTS

OF THE

COMMITTEE ON PUBLIC WORKS

UNITED STATES SENATE

FOR THE

NINETY-SECOND CONGRESS

DECEMBER 1972

SERIAL NO. 92–28

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FOREWORD

Pursuant to section 118(a) of the Legislative Reorganization Act of 1970, I hereby submit to the Senate a report on the activities of the Committee on Public Works during the 92d Congress.

During the 92d Congress, the Committee on Public Works considered numerous matters in the area of public works. The activities and the accomplishments of the committee are set forth in the various chapters of this report.

I would like to take this opportunity to express my deep appreciation to the members of the committee, all of whom devoted a great deal of time to consideration of committee business, to the subcommittee chairmen who spent countless days in preparing legislation for full committee consideration, and to the committee staff which provided invaluable assistance to the members of the committee, the Congress, and the public.

JENNINGS RANDOLPH,
Chairman, Committee on Public Works.

SUMMARY OF LEGISLATIVE ACTIVITIES AND ACCOMPLISHMENTS

In the 92d Congress, the Committee on Public Works continued its oversight activities, which were begun on a large scale in the 91st Congress. Extensive hearings were held on implementation of the Clean Air Amendments of 1970, the Resource Recovery Act of 1970, the National Environmental Policy Act, and the Highway Safety Program.

In addition to oversight functions, the committee considered numerous pieces of legislation relating to water pollution, noise control, rivers and harbors authorizations, highways, and economic development, as well as other matters.

During the 92d Congress, the committee held 126 days of public hearings in Washington and across the Nation. Fifteen bills reported from the committee became public law. Additionally, seven measures were reported by the committee, passed by the Senate, and referred to the House but did not become law. Four bills were passed by both Houses and vetoed by the President. One of these, the Federal Water Pollution Control Act Amendments of 1972, was passed by both Houses subsequent to the President's veto, thus becoming law.

Following is a list of bills and resolutions enacted into law, followed by those reported by the committee, those reported and passed by the Senate, and those reported, passed, and referred to the House of Representatives:

BILLS AND RESOLUTIONS ENACTED INTO LAW

Number	Date approved	Provisions
92-50	July 9, 1971	To extend the Federal Water Pollution Control Act, as amended, for 3 months.
92-65	Aug. 5, 1971	To extend the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965.
92-137	Oct. 13, 1971	To extend the Federal Water Pollution Control Act, as amended, for 1 month.
92-209	Dec. 18, 1971	To provide Federal financial assistance for the reconstruction or repair of private nonprofit medical care facilities which are damaged or destroyed by a major disaster.
92-222	Dec. 23, 1971	Authorizing additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control, navigation, and for other purposes.
92-229	Feb. 15, 1972	To provide that the lock and dam referred to as the Columbia lock and dam on the Chattahoochee River, Ala., shall hereafter be known as the George William Andrews lock and dam.
92-240	Mar. 1, 1972	To extend secs. 5(n) and 7(a) of the Federal Water Pollution Control Act, as amended, until the end of fiscal year 1972.
92-313	June 16, 1972	To amend the Public Buildings Act of 1959, as amended, to provide for financing the acquisition, construction, alteration, maintenance, operation, and protection of public buildings, and for other purposes.
92-361	Aug. 3, 1972	To amend sec. 125 of title 23, United States Code, relating to highway emergency relief to authorize additional appropriations necessary as a result of recent floods and other disasters.
92-367	Aug. 8, 1972	To authorize the Secretary of the Army to undertake a national program of inspection of dams and to authorize $200,000,000 for highway emergency relief program.
92-500	Oct. 18, 1972	To amend the Federal Water Pollution Control Act.
92-520	Oct. 21, 1972	To amend the Public Buildings Act of 1959, as amended, to provide for the construction of a civic center in the District of Colubmia, and for other purposes.
92-532	Oct. 23, 1972	To regulate the dumping of material in the oceans, coastal, and other waters, and for other purposes.

BILLS AND RESOLUTIONS ENACTED INTO LAW—Continued

Number	Date approved	Provisions
92-552	Oct. 25, 1972	Authorizing the city of Clinton Bridge Commission to convey its bridge structures and other assets to the State of Iowa and to provide for the completion of a partially constructed bridge across the Mississippi River at or near Clinton, Iowa, by the State Highway Commission of the State of Iowa.
92-574	Oct. 27, 1972	To control the emission of noise detrimental to human environment, and for other purposes.

BILLS REPORTED BY COMMITTEE ON PUBLIC WORKS

Bill No.	Date reported	Provisions
S. 1015	Nov. 3, 1971	To establish an environmental financing authority to assist in the financing of waste treatment facilities, and for other purposes.

BILLS REPORTED BY COMMITTEE ON PUBLIC WORKS AND PASSED BY SENATE

Bill No.	Date passed	Provisions
S. Res. 22	Mar. 1, 1971	Authorizing additional expenditures by the Committee on Public Works.
S. Res. 249	Mar. 6, 1972	Authorizing additional expenditures by the Committee on Public Works for inquiries and investigations.

BILLS REPORTED BY COMMITTEE, PASSED BY SENATE, AND REFERRED TO HOUSE

S. 2393	Aug. 5, 1971	To amend the Disaster Relief Act of 1970 to make areas suffering from economic disasters eligible for emergency Federal aid, to improve the aid which would become available to economic disaster areas, and for other purposes.
S. 1113	Dec. 7, 1971	To establish a structure that will provide integrated knowledge and understanding of the ecological, social, and technological problems associated with air pollution, water pollution, solid waste disposal, general pollution, and degradation of the environment, and other related problems.
S. 2687	Oct. 29, 1971	To authorize the acquisition of certain real property in square 724 in the District of Columbia, and for other purposes.
S. 907	Mar. 1, 1972	To consent to the interstate environmental compact.
S. 3568	May 25, 1972	To designate the Federal Bureau of Investigation building now under construction in Washington, D.C., as the J. Edgar Hoover Federal Building.
S. 3572	May 4, 1972	To extend and amend secs. (5n) and 8(d) of the Federal Water Pollution Control Act, as amended.
S. 3917	Sept. 13, 1972	To authorize the construction of the completion of the New Senate Office Building and for other purposes.

BILLS PASSED BY BOTH HOUSES AND VETOED BY THE PRESIDENT

Bill No.	Date vetoed	Provisions
S. 575	June 29, 1971	To authorize funds to carry out the purposes of the Appalachian Regional Development Act of 1965, as amended.
H.R. 16071	Oct. 27, 1972	To amend the Public Works and Economic Development Act of 1965.
S. 4018	do	Authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

CHAPTER I

WATER RESOURCES LEGISLATION

The Committee on Public Works, through its Subcommittee on Flood Control—Rivers and Harbors, is responsible for recommending legislative authorizations to the Senate for the comprehensive water resources development programs carried out under the jurisdiction of the various Federal water resources agencies, including the Corps of Engineers of the Department of the Army, the Soil Conservation Service of the Department of Agriculture, and the Tennessee Valley Authority.

The Federal civil works program, under jurisdiction of the Corps of Engineers, embraces the works for improving rivers, lakes, coastal areas, and harbors of the United States in the interests of navigation, flood control, hydroelectric power development, water supply, pollution abatement, recreation, beach erosion control, and other allied water purposes, which the committee has approved and the Congress has authorized for accomplishment by the Corps of Engineers, Department of the Army. Much of this work has been carried on for 148 years, since the first appropriation by Congress in 1824. In the river and harbor and flood control legislation since that time Congress has delineated the policies, prescribed the procedures, and authorized the water resources developments which constitute the present civil works programs, and has delegated to the Corps of Engineers the duty of planning, providing and administering the works involved therein.

The Soil Conservation Service of the Department of Agriculture is responsible for carrying out the directives of the Committee on Public Works and the Congress which are set forth in the Watershed Protection and Flood Prevention Act (Public Law 566, 83d Cong.), as amended. This program provides for the installation of small upstream dams and other flood and soil erosion prevention devices in relatively small watershed areas. It also provides for the installation of measures for irrigation, drainage, municipal, and industrial water supply, recreation, and fish and wildlife development.

The Tennessee Valley Authority is a corporation created by act of Congress approved May 18, 1933 (48 Stat. 58; 16 U.S.C. 831–831dd). This statute provides for the development of the Tennessee River and its tributaries in the interests of navigation, flood control, and the generation and disposition of hydroelectric power.

Committee Actions During the 92d Congress

Water resource legislation approved by the committee during the 92d Congress includes Public Law 92–222, comprehensive river basin monetary authorizations, and Public Law 92–229, changing the name of the Columbus lock and dam on the Chattahoochee River, Ala., to

the George William Andrews lock and dam. Other items considered by the Subcommittee on Flood Control—Rivers and Harbors were (*a*) the survey investigation program of the Corps of Engineers; and (*b*) the watershed protection and flood prevention program of the Soil Conservation Service, Department of Agriculture.

The Omnibus Rivers and Harbors and Flood Control Act of 1972, approved by the Senate on October 12, 1972, and the House on October 13, was vetoed by the President on October 27, 1972.

A detailed description of the above measures follows.

RIVER BASIN MONETARY AUTHORIZATIONS AND MISCELLANEOUS CIVIL WORKS AMENDMENTS

(Public Law 92–222)

The purpose of this act is to authorize an increase in the monetary authorizations for certain comprehensive river basin plans previously approved by Congress; to provide for an increase in the monetary authorization for modification of the Alabama-Coosa River Basin project to include hydroelectric power facilities, and for other purposes; to provide for modifications to the Arkansas River Basin flood control project, combining two previously authorized plans; to provide for partial accomplishment of the Brazos River Basin plan; to provide for modification and expansion of works on the upper St. Johns and Kissimmee River Basins; to provide for an increase in the monetary authorization for the Columbia River Basin flood control project; to provide for additional channelization and revetments along the Mississippi River and its tributaries; to provide for an increase in the monetary authorization for the Missouri River Basin flood control project; to provide for additional flood control protection works and channel improvements in the North Branch, Susquehanna River Basin; to provide for modification and expansion of works in the Ohio River Basin; to provide for additional channelization and floodwalls in the Ouachita River Basin; to provide for partial completion of flood control projects in the San Joaquin River Basin; to provide levee and channel improvements on the South Platte River; to provide for additional projects in the upper Mississippi River Basin; and to provide for the continuation of projects in the White River Basin.

SECTION-BY-SECTION ANALYSIS

Section 1. Additional Authorizations for Certain River Basin Plans

Section 1 provides increased authorizations for the prosecution of river basin plans for flood control and related purposes under the jurisdiction of the Secretary of the Army and the Chief of Engineers. The appropriations intended to be covered by the increased authorizations are those necessary for the scheduled funding requirements through calendar year 1973. Allowance is made for the amount of monetary authorization presently available in the various basins. The necessity for these increased authorizations is explained below.

Monetary authorizations first were put into effect by the Flood Control Acts of 1936 and 1938. They limit authority to appropriate and expend funds within specified basins or specified major projects to levels below the total costs of the authorized basin or project developments. In this way they give the Congress opportunity to review and control the rate of accomplishment of the basin plans and major projects to which they apply.

In these plans, the Congress has approved an entire plan for development of a river basin in the interest of flood control, navigation, power, and allied water uses, but limited the amounts of funds to anticipated appropriations for a specified period of years, allowing accomplishment of only part of the plan. Subsequently the Congress has augmented some of the previously approved plans, by authorizing additional projects, or modifications of projects, and increased the monetary authorization to provide for additional appropriations. When the monetary authorization limit of a plan is approached, legislation is required to provide additional authorization so that appropriations can be made to permit the plan to continue. If such legislation is not forthcoming when needed, construction of projects in the basin plan cannot proceed, even if funds have been included in appropriation acts for this purpose.

In addition to projects comprising these basin plans subject to monetary authorization, Congress has authorized other projects in the basins for which full monetary authorization for appropriations has been provided under the terms of the authorizing act. Projects in this category require no further monetary authorization action by the Congress.

At the present time there are 29 basin development plans subject to basin monetary authorization limitations. Authorizations provided to date, including the most recent provided by legislation in 1970, are adequate for work to be performed in most of the basins through calendar year 1971. However, there are 9 basins whose monetary authorizations will be exhausted in calendar year 1972, unless further authorization is provided and there are basins which will run out of authorization in calendar year 1973 unless additional authorization is provided.

The following table furnishes for the basins shown in section 1 of the bill the dates of original authorization and the amount of increased authorizations needed for the work to be performed through calendar year 1973.

Basin	Act of Congress	Amount
Alabama-Coosa River	Mar. 2, 1945	$38,000,000
Arkansas River	June 28, 1938	57,000,000
Brazos River	Sept. 3, 1954	20,000,000
Central and Southern Florida	June 30, 1948	18,000,000
Columbia River	June 28, 1938	130,000,000
Mississippi River and Tributaries	May 15, 1928	97,000,000
Missouri River	June 28, 1938	101,000,000
North Branch Susquehanna River	July 3, 1958	17,000,000
Ohio River	June 22, 1936	62,000,000
Ouachita River	May 17, 1950	1,000,000
San Joaquin River	Dec. 22, 1944	44,000,000
South Platte River	May 17, 1950	37,000,000
Upper Mississippi River	June 28, 1938	2,000,000
White River	do	4,000,000
Total		628,000,000

Alabama-Coosa River Basin

The Alabama-Coosa River system drains an area of 22,800 square miles, of which about 130 square miles are in Tennessee, 5,350 square miles are in Georgia and 17,320 square miles are in Alabama. The basin has a maximum width of 110 miles and extends about 320 miles from southeast Tennessee and northwest Georgia diagonally across Alabama to the southwest corner of the State.

The River and Harbor Act of March 2, 1945, provides for the initial and ultimate development of the Alabama-Coosa Rivers and tributaries for navigation, flood control, power development, and other purposes. The act includes authorization for modification of the original plan as may be advisable from time to time in the discretion of the Secretary of the Army and the Chief of Engineers for the purpose of increasing the development of hydroelectric power. This act also authorized the appropriation of $60 million. Additional monetary authorization has been provided by subsequent acts, bringing the total monetary authorization to $206 million.

Total estimated cost of projects in plan	$661,000,000
Present monetary authorization	206,000,000
Appropriations through June 30, 1971	174,000,000
Remaining monetary authorization	32,000,000
Additional scheduled obligations through calendar year 1972	47,000,000
Deficit monetary authorization through calendar year 1972	15,000,000
Additional scheduled obligations through calendar year 1973	23,000,000
Deficit monetary authorization through calendar year 1973	38,000,000

Projects and amounts on which requested authorization is planned to be used

Project	*Amount through calendar year 1973*
Alabama River channel improvement, Alabama	$1,402,000
Carters Lake, Ga	24,897,000
Jones Bluff lock and dam, Alabama	11,274,000
Total requested authorization	37,573,000

Arkansas River Basin

The Arkansas River Basin contains an area of about 160,500 square miles. The basin is about 870 miles in length in an east-west direction and approximately 185 miles in average width. It extends from the Rocky Mountains on the west to the Mississippi River on the east. The drainage basin occupies parts of the States of Colorado, New Mexico, Kansas, Oklahoma, Texas, Missouri, and Arkansas.

The general comprehensive plan for flood control and other purposes in the Arkansas River Basin was adopted by the Flood Control Act approved June 28, 1938, which authorized an appropriation of $21 million for partial accomplishment of the plan. The plan has been further amended and modified and additional monetary authorization provided by subsequent acts.

The River and Harbor Act of July 24, 1946 authorized construction of a multiple-purpose plan for improvement of the Arkansas River Basin, Arkansas and Oklahoma, for navigation, flood control, and other

purposes and authorized the appropriation of $55 million for partial accomplishment of the plan. This plan has likewise been modified by subsequent acts, and additional monetary authorization provided.

The Flood Control Act of July 14, 1960 incorporated the authorized flood control plan and the multiple-purpose plan into a single plan of development and provided that all authorizations made available for the Arkansas River Basin would be applicable to the combined plan of development. The monetary authorization provided for the combined plan totals $1,340,000,000.

Total estimated cost of projects in plan	$1,422,000,000
Present monetary authorization	1,340,000,000
Appropriations through June 30, 1971	1,322,000,000
Remaining monetary authorization	18,000,000
Additional scheduled obligations through calendar year 1972	61,000,000
Deficit monetary authorization through calendar year 1972	43,000,000
Additional scheduled obligations through calendar year 1973	14,000,000
Deficit monetary authorization through calendar year 1973	57,000,000

Projects and amounts on which requested authorization is planned to be used

Project	*Amount through calendar year 1973*
McClellan-Kerr Arkansas River navigation system:	
Bank stabilization, Oklahoma and Arkansas	$7,397,000
Locks and dams, Arkansas and Oklahoma	27,888,000
Keystone Lake, Okla	200,000
Oologah Lake, Okla	1,402,000
Ozark lock and dam, Arkansas	8,048,000
Webbers Falls lock and dam, Oklahoma	9,503,000
Eight projects for recreational development	2,345,000
Total requested authorization	56,783,000

Brazos River Basin

The Brazos River rises in eastern New Mexico and flows southeasterly 1,210 miles to the Gulf of Mexico near Freeport, Tex. The watershed has an overall length of 640 miles and a maximum width of about 120 miles. Its total area is about 44,670 square miles.

The Flood Control Act approved September 3, 1954, adopted the basinwide plan of improvement in the Brazos River Basin and authorized the appropriation of $40 million for partial accomplishment of that plan. The plan includes lakes for flood control and allied purposes and projects for local flood protection. Additional authorization has been provided by subsequent acts, bringing the total to $121 million.

Total estimated cost of projects in plan	$412,000,000
Present monetary authorization	121,000,000
Appropriations through June 30, 1971	114,000,000
Remaining monetary authorization	7,000,000
Additional scheduled obligations through calendar year 1972	10,000,000
Deficit monetary authorization through calendar year 1972	3,000,000
Additional scheduled obligations through calendar year 1973	17,000,000
Deficit monetary authorization through calendar year 1973	20,000,000

Projects and amounts on which requested authorization is planned to be used

Project	*Amount through calendar year 1973*
Aquilla Lake	$350,000
Millican Lake	500,000
San Gabriel River, Tex	16,624,000
Four projects for recreational development	2,526,000
Total requested authorization	20,000,000

Central and Southern Florida

The project lies generally within 18 counties of Florida covering an area of about 15,200 square miles. It is comprised of the upper St. Johns River Basin in the northeastern section of the project; the Kissimmee River Basin in the central section above Lake Okeechobee; the Lake Okeechobee-Everglades area in the central and southwestern section; and the East Coast-Everglades area in the southeastern section.

This project provides for modification and expansion of works in an area embracing Lake Okeechobee, a large portion of the Everglades, the upper St. Johns and Kissimmee Rivers Basins, and the lower east coast of Florida. The project was authorized in the Flood Control Act of June 30, 1948, which also authorized the appropriation of $16,300,000 for partial accomplishment of the first phase of the plan. Subsequent legislation has increased the monetary authorization and expanded the project to include additional improvements. The monetary authorization provided to date totals $211,300,000.

Total estimated cost of projects in plan	$368,000,000
Present monetary authorization	211,000,000
Appropriations through June 30, 1971	189,000,000
Remaining monetary authorization	22,000,000
Additional scheduled obligations through calendar year 1972	20,000,000
Remaining monetary authorization through calendar year 1972	2,000,000
Additional scheduled obligations through calendar year 1973	20,000,000
Deficit monetary authorization through calendar year 1973	18,000,000

Project and amounts on which requested authorization is planned to be used

Project	*Amount through calendar year 1973*
Central and southern Florida	$18,000,000
Total requested authorization	18,000,000

Columbia River Basin

The Columbia River Basin drains an area of 259,000 square miles, of which 219,500 square miles are in the United States and 39,500 square miles are in Canada. The basin includes most of the States in Oregon, Washington, and Idaho; western Montana; small areas of Nevada, Utah, and Wyoming; and the southeastern drainage of the Province of British Columbia, Canada. The river flows a distance of 462 miles in Canada and 745 miles in the United States, for a total distance of 1,207 miles.

The Flood Control Act of June 28, 1938, approved the general comprehensive plan for flood control and other purposes in the Willamette River Basin and authorized $11,300,000 for the initiation and partial accomplishment of the recommended plan. Individual projects were authorized in the Columbia and Willamette River Basin by the Flood Control Act of June 22, 1936, and subsequent acts. The Flood Control Act of May 17, 1950, approved a general comprehensive plan for both the Columbia and Willamette River Basins for flood control and other purposes and authorized the appropriation of $115 million for the partial accomplishment of the plan. This monetary authorization has been increased by later acts. Monetary authorization provided to date totals $1,750 million.

Total estimated cost of projects in plan	$2, 230, 000, 000
Present monetary authorization	1, 750, 000, 000
Appropriations through June 30, 1971	1, 608, 000, 000
Remaining monetary authorization	142, 000, 000
Additional scheduled obligations through calendar year 1972	222, 000, 000
Deficit monetary authorization through calendar year 1972	80, 000, 000
Additional scheduled obligations through calendar year 1973	50, 000, 000
Deficit monetary authorization through calendar year 1973	130, 000, 000

Projects and amounts on which requested authorization is planned to be used

Project	*Amount through calendar year 1973*
Asotin Dam, Idaho	$500, 000
Cascadia Lake, Oreg	11, 534, 000
Cougar Lake, Oreg	835, 000
Dworshak Dam and Lake, Idaho	22, 025, 000
Gate Creek Lake, Oreg	160, 000
John Day lock and dam, Oregon and Washington	16, 024, 000
Libby Lake, Mont	61, 579, 000
The Dalles Dam, units 15 through 22	14, 000, 000
Seven projects for recreational development	2, 818, 000
Total requested authorization	129, 473, 000

Mississippi River and tributaries project

The Mississippi River and tributaries project embraces an area of about 35,500 square miles. It extends from Cape Girardeau, Missouri, a short distance above the confluence of the Mississippi and Ohio Rivers, southward more than 600 miles to the Head of Passes, Louisiana, near the mouth of the Mississippi River. The area, varying in width from 30 to 125 miles, includes the lower portions of large tributaries which are subject to inundation by backwater from the Mississippi River during extreme floods.

The Flood Control Act of May 15, 1928 authorized a plan for flood protection in the alluvial valley of the Mississippi River, and such bank revetment and contraction works as required to provide a channel depth of 9 feet and a width of 300 feet below Cairo, Ill. The 1928 act also authorized the appropriation of $325,000,000 to accomplish the plan of protection, which was designated as the Mississippi River and tributaries project (M.R. & T.). Subsequent acts have modified

the original plan to include additional projects and have increased the total monetary authorization. The present plan for the Mississippi River and tributaries project provides for five reservoirs, hundreds of miles of levees, channel improvements, river cutoffs, and major drainage works throughout the alluvial valley. Also, accomplishment and maintenance of a 12-foot navigation channel from Cairo, Ill., to Baton Rouge, La. The monetary authorization provided to date totals $1,851,900,000.

Total estimated cost of projects in plan	$2, 858, 000, 000
Present monetary authorization	1, 852, 000, 000
Appropriations through June 30, 1971	1, 689, 000, 000
Remaining monetary authorization	163, 000, 000
Additional scheduled obligations through calendar year 1972	131, 000, 000
Remaining monetary authorization through calendar year 1972	32, 000, 000
Additional scheduled obligations through calendar year 1973	129, 000, 000
Deficit monetary authorization through calendar year 1973	97, 000, 000

Projects and amounts on which requested authorization is planned to be used

Project	*Amount through calendar year 1973*
Atchafalaya Basin	$15, 417, 000
Cache River Basin	1, 072, 000
Channel improvements	43, 788, 000
Eastern Rapides and South Central Avoyelles Parishes, La	150, 000
L'Anguille River Basin	20, 000
Lower Red River	1, 140, 000
Lower White River	209, 000
Mississippi Delta region	33, 000
Mississippi River levees	7, 304, 000
Reelfoot Lake—Lake No. 9, Tennessee	95, 000
St. Francis Basin	6, 826, 000
Teche-Vermilion Basin	78, 000
Tensas Basin	9, 425, 000
West Kentucky tributaries	363, 000
West Tennessee tributaries	1, 064, 000
Yazoo Basin	9, 506, 000
Total requested authorization	96, 490, 000

Missouri River Basin

The Missouri River Basin drains an area of 519,090 square miles, of which 509,375 square miles are in the United States and 9,715 square miles are in Canada. The basin includes all of Nebraska, most of South Dakota, large portions of North Dakota, Montana, and Wyoming, about half of Kansas and Missouri; and smaller parts of Colorado, Iowa, and Minnesota. From its source in southwestern Montana, it flows for a distance of 2,460 miles to enter the Mississippi River above St. Louis, Mo.

A general comprehensive plan for flood control and other purposes in the Missouri River Basin was approved by the Flood Control Act of June 28, 1938, which also authorized $9 million for initiation and partial accomplishment of the plan. The Flood Control Act approved

December 22, 1944, expanded the general comprehensive plan for the Missouri River Basin to include the coordinated plan of the Corps of Engineers and the Bureau of Reclamation, and authorized the appropriation of $200 million for each agency. Additional projects and monetary authorizations have been included in subsequent acts, bringing the total monetary authorization to date to $1,609,094,000.

Total estimated cost of projects in plan	$2, 344, 000, 000
Present monetary authorization	1, 609, 000, 000
Appropriations through June 30, 1971	1, 525, 000, 000
Remaining monetary authorization	84, 000, 000
Additional scheduled obligations through calendar year 1972	93, 000, 000
Deficit monetary authorization through calendar year 1972	9, 000, 000
Additional scheduled obligations through calendar year 1973	92, 000, 000
Deficit monetary authorization through calendar year 1973	101, 000, 000

Projects and amounts on which requested authorization is planned to be used

Project	*Amount through calendar year 1973*
Big Bend Dam-Lake Sharpe, S. Dak	$239, 000
Fort Scott Lake, Kans	6, 000, 000
Garnett Lake, Kans	100, 000
Garrison Dam-Lake Sakakawea Eagle Bay Highway Bridge, N. Dak	200, 000
Hillsdale Lake, Kans	6, 000, 000
Harry S. Truman Dam and Reservoir, Mo	65, 741, 000
Lawrence, Kans	3, 010, 000
Melvern Lake, Kans	12, 135, 000
Missouri River levee system	841, 000
Missouri River Garrison to Oahe	3, 600, 000
Oahe Dam-Lake Oahe, S. Dak	227, 000
Stockton Lake, Mo	2, 575, 000
Topeka, Kans	
Ten projects for recreational development	
Total requested authorization	100, 668, 000

North Branch Susquehanna River Basin

The North Branch Susquehanna River Basin drains an area of 11,306 square miles of which 6,270 square miles are in south-central New York and 5,036 square miles are in northeastern Pennsylvania. It has a length of approximately 150 miles and a width of approximately 170 miles. It is bounded by drainage basins of Lake Ontario and the Mohawk River on the north, the Delaware River on the east, the west branch of the Susquehanna River on the south and the Genesee River on the west.

The plan authorized by the Flood Control Act of 1958, provides for construction of the Lake Cowanesque and Tioga-Hammond Lakes projects in Pennsylvania; local flood protection works at Elkland, Pa., and Nichols, N.Y.; channel improvements (for flood control) at Cortland, N.Y., and for $30 million to be appropriated for partial accomplishment of the project plan.

Total estimated cost of projects in plan	$138,000,000
Present monetary authorization	30,000,000
Appropriations through June 30, 1971	10,000,000
Remaining monetary authorization	20,000,000
Additional scheduled obligations through calendar year 1972	10,000,000
Remaining monetary authorization through calendar year 1972	10,000,000
Additional scheduled obligations through calendar year 1973	27,000,000
Deficit monetary authorization through calendar year 1973	17,000,000

Projects and amounts on which requested authorization is planned to be used

Project	*Amount through calendar year 1973*
Lake Cowanesque, Pa	$5,275,000
Tioga-Hammond Lakes, Pa	11,657,000
Total requested authorization	16,932,000

Ohio River Basin

The Ohio River is formed by the junction of the Allegheny and Monongahela Rivers at Pittsburgh, and flows in a general southwesterly direction to join the Mississippi River at Cairo, Ill. Its length is 981 miles, and its basin, comprising 204,000 square miles, lies between the Allegheny Mountains on the east and the Mississippi River Basin on the west. The basin is about 800 miles long along the northeast-southwest axis, and about 500 miles wide along its northwest-southwest axis. Lying in the basin are major portions of Ohio, Indiana, West Virginia, Kentucky, and Tennessee; large areas in Pennsylvania, Virginia, North Carolina, Alabama, and Illinois; and parts of New York, Maryland, Georgia, and Mississippi.

The Flood Control Acts of June 22, 1936, August 28, 1937, and June 28, 1938, approved a general comprehensive plan for flood control and other purposes in the Ohio River Basin, consisting of lakes, levees, floodwalls, and drainage structures for protection of cities and towns. Those acts were amended and supplemented by subsequent acts, which also included monetary authorizations for further prosecution of the comprehensive plan. The monetary authorization provided to date totals $1,157 million.

Total estimated cost of projects in plan	$1,498,000,000
Present monetary authorization	1,157,000,000
Allocations through June 30, 1971	1,103,000,000
Remaining monetary authorization	54,000,000
Additional Scheduled obligations through calendar year 1972	74,000,000
Deficit monetary authorization through calendar year 1972	20,000,000
Additional scheduled obligations through calendar year 1973	42,000,000
Deficit monetary authorization through calendar year 1973	62,000,000

Projects and amounts on which requested authorization is planned to be used

Project	*Amount through calendar year 1973*
Allegany, N.Y.	$30,000
Big Darby Lake, Ohio	150,000
Booneville Lake, Ky	700,000
Brookville Lake, Ind	3,841,000
Burnsville Lake, W. Va	6,120,000
Caesar Creek Lake, Ohio	10,650,000
Cave Run Lake, Ky	6,666,000
Dayton, Ky	200,000
East Fork Lake, Ohio	9,072,000
Empire-Stratton, Ohio	30,000
Evansville, Ind	5,080,000
Falmouth Lake, Ky	250,000
Greenfield Bayou levee, Indiana	2,590,000
Green River Lake, Ky	449,000
Island levee, Indiana and Illinois	1,322,000
Leading Creek Lake, W. Va	250,000
Mason J. Niblack levee, Indiana	700,000
New Kensington, Pa	32,000
Paint Creek Lake, Ohio	2,172,000
Shenango Lake, Pa	2,061,000
West Fork Lake, W. Va	180,000
Sixteen projects for recreational development	9,363,000
Total requested authorization	61,908,000

Ouachita River Basin

The Ouachita Basin, comprising about 25,000 square miles within the Red River Basin, is located in the southern half of Arkansas and the northern part of Louisiana.

The River and Harbor Act of May 17, 1950 approved the general plan for flood control and other purposes in the Ouachita River Basin and authorized the appropriation of $21,300,000 for initiation and partial accomplishment of the plan. This plan consists of channel improvements for flood control for Bayou Bartholomew. Ark. and La., and Pine Bluff, Ark., DeGray Lake, Ark., Murfreesboro Lake, Ark., and a floodwall at Monroe, La. The monetary authorization has been increased by subsequent acts bringing the total monetary authorization to $68,300,000.

Total estimated cost of projects in plan	$88,000,000
Present monetary authorization	68,000,000
Appropriations through June 30, 1971	57,000,000
Remaining monetary authorization	11,000,000
Additional scheduled obligations through calendar year 1972	6,000,000
Remaining monetary authorization through calendar year 1972	5,000,000
Additional scheduled obligations through calendar year 1973	6,000,000
Deficit monetary authorization through calendar year 1973	1,000,000

Projects and amounts on which requested authorization is planned to be used

Project	*Amount through calendar year 1973*
Bayou Bartholomew, Ark. and La	$1,042,000
DeGray Lake, Ark	0
Monroe, La	133,000
Total requested authorization	1,175,000

San Joaquin River Basin

The San Joaquin River, the only exterior drainage channel for an area of about 32,000 square miles, has its source in the Sierra Nevada Range about 25 miles southeast of the Yosemite Valley, Calif.

The Flood Control Act approved December 22, 1944 adopted the plan of improvement for flood control and other purposes on the lower San Joaquin River and tributaries, including the Tuolumne and Stanislaus Rivers, and authorized the appropriation of $8 million for partial accomplishment of the plan. This monetary authorization has been increased by later acts, bringing the total monetary authorization to date to $65,500,000.

Total estimated cost of projects in plan	$199,000,000
Present monetary authorization	66,000,000
Appropriations through June 30, 1971	49,000,000
Remaining monetary authorization	17,000,000
Additional scheduled obligations through calendar year	39,000,000
Deficit monetary authorization through calendar year 1972	22,000,000
Additional scheduled obligations through calendar year 1973	22,000,000
Deficit monetary authorization through calendar year 1973	44,000,000

Projects and amounts on which requested authorization is planned to be used

Project	*Amount through calendar year 1973*
New Melones Lake, Calif	$44,200,000
Total requested authorization	44,200,000

South Platte River, Colo.

The South Platte River rises on the Continental Divide in central Colorado, and flows northeasterly to its confluence with the North Platte River at North Platte, Nebr. The drainage area of 24,030 square miles includes a section of the rugged eastern slope of the Rocky Mountains, with elevation exceeding 14,000 feet and extensive areas of the Great Plains.

The Flood Control Act of May 17, 1950, authorized a plan for flood control and related purposes in the South Platte River Basin in Colorado. The plan consists of Chatfield Lake and levee and channel improvements at three locations, including the city of Boulder. The act also authorized the appropriation of $26,300,000 for partial accomplishment of the plan. This monetary authorization has been increased by later acts, bringing the total to $61,300,000.

The plan was further modified by the Flood Control Act of 1968 to include construction of a dam and lake on Bear Creek, a tributary of the South Platte River.

Total estimated cost of projects in plan	$162,000,000
Present monetary authorization	61,000,000
Appropriations through June 30, 1971	19,000,000
Remaining monetary authorization	19,000,000
Additional scheduled obligations through calendar year 1972	27,000,000
Deficit monetary authorization through calendar year 1974	8,000,000
Additional scheduled obligations through calendar year 1973	29,000,000
Deficit monetary authorization through calendar year 1973	37,000,000

Project and amounts on which requested authorization is planned to be used

Project	*Amount through calendar year 1973*
Chatfield Lake, Colo	$18,907,000
Bear Creek Lake, Colo	16,190,000
Boulder, Colo	1,280,000
South Platte River levees and channel improvements, Colorado	160,000
Total requested authorization	36,537,000

Upper Mississippi River Basin

The Upper Mississippi River Basin is that portion of the North-Central United States containing the Mississippi River and all tributary streams above the Ohio River, but excluding the Missouri River. The Mississippi River originates at Lake Itasca in Central Minnesota, and flows approximately 1,366 miles to a point above the mouth of the Ohio River. This basin area covers 188,000 square miles and includes the larger parts of Minnesota, Wisconsin, Illinois, and Iowa, and small portions of Indiana, South Dakota, and Missouri.

The Flood Control Act of June 28, 1938, approved the general comprehensive plan for flood control and other purposes in the upper Mississippi River Basin, consisting of reservoirs and local flood protection works on the upper Mississippi and Illinois Rivers, and authorized the appropriation of $9.3 million for their construction. Subsequent acts have increased the authorization and modified the plan to include additional projects. The monetary authorization provided to date totals $127,700,000.

Total estimated cost of projects in plan	$182,000,000
Present monetary authorization	128,000,000
Appropriations through June 30, 1971	126,000,000
Remaining monetary authorization	2,000,000
Additional scheduled obligations through calendar year 1972	3,000,000
Deficit monetary authorization through calendar year 1972	1,000,000
Additional scheduled obligations through calendar year 1973	1,000,000
Deficit monetary authorization through calendar year 1973	2,000,000

Projects and amounts on which requested authorization is planned to be used

Project	*Amount through calendar year 1973*
Kaskaskia Island Drainage and Levee District, Ill	$190,000
Red Rock Dam and Lake Red Rock, Iowa	1,149,000
Wood River Drainage and Levee District, Ill. (pumping plant)	190,000
Two projects for recreational development	630,000
Total requested authorization	2,159,000

White River Basin

The White River rises in northwestern Arkansas, flows northeasterly into southern Missouri, and thence southeasterly back into Arkansas to join the Mississippi River at about mile 580 above the Head of Passes, La. It is about 700 miles long and drains about 27,765 square miles, of which 10,622 are in Missouri and 17,143 are in Arkansas. About 7,000 square miles are within the limits of the Mississippi River backwaters. The latter area is included in the plan for the Lower Mississippi River Basin project.

The general comprehensive plan for flood control and other purposes in the White River Basin was approved by the Flood Control Act of June 28, 1938, which authorized the appropriation of $25 million for initiation and partial accomplishment of the plan. Subsequent legislation has authorized additional amounts for continuation of the plan, and modified it to include additional projects. The monetary authorization provided to date totals $292 million.

Total estimated cost of projects in plan	$374,000,000
Present monetary authorization	292,000,000
Appropriations through June 30, 1971	287,000,000
Remaining monetary authorization	5,000,000
Additional scheduled obligations through calendar year 1972	4,000,000
Remaining monetary authorization through calendar year 1972	1,000,000
Additional scheduled obligations through calendar year 1973	5,000,000
Deficit monetary authorization through calendar year 1973	4,000,000

Amounts on which requested authorization is planned to be used

Project	*Amount through calendar year 1973*
Bell Foley Lake	$202,000
Six projects for recreational development	3,742,000
Total requested authorization	3,944,000

Section 2. Frazer-Wolf Point Irrigation Unit, Fort Peck Indian Reservation

Section 2 authorizes the Secretary of the Army to construct dikes and other necessary works to prevent shoaling near the pumping plant intake of the Frazer-Wolf Point irrigation unit of the Fort Peck Indian Reservation of the north bank of the Missouri River. This work is necessary because during periods of low-flow in the Missouri River, there is insufficient flow in the intake channel to provide for the full capacity of the irrigation pumps.

The Frazer-Wolf Point irrigation unit pumping plant was built in 1936 and functioned satisfactorily until 1968 when it became necessary to initiate dredging of the intake channel as a temporary expedient. Fortunately, during 1969 and 1970 there was above-normal precipitation in the Missouri River Basin above Fort Peck and it was possible to permit releases to accommodate most irrigation needs. As shoaling is becoming more acute and the continued above-normal rainfall in

the basin cannot be assured, it is desirable that early action be taken to provide a permanent solution to the problem.

The plan of improvement developed by the Corps of Engineers to remedy this situation consists of three stone-filled dikes upstream of the pumping plant extending from the opposite (south) river bank. The dikes would divert river flow toward the pumping plant intake channel and should scour the shoaled area to return a portion of the flow to the intake channel. Construction of dikes and other necessary facilities is estimated to cost $335,000.

Section 3. Crow Creek Indian Reservation, S. Dak.

Section 3 authorizes the Chief of Engineers to provide certain community facilities to be used by the Crow Creek Sioux Tribe on the Crow Creek Indian Reservation in South Dakota. Section 6 of Public Law 87–735, approved October 3, 1962, authorized similar facilities in order to mitigate damages suffered by the tribe due to construction of the Big Bend Dam and Lake project of the Corps of Engineers.

While the Corps of Engineers provided the community facilities considered appropriate within the monetary limitation imposed by the legislation, the tribe nevertheless contends that it did not receive all it was entitled under the terms of the legislation, and that the facilities stipulated to be furnished the tribe under provisions of Public Law 87–735, had not been furnished or were considered to be inadequate. For instance, the water supply system failed to supply sufficient water at sufficient pressure for fire-fighting purposes. Streets were not of sufficient widths. Street lighting is inadequate, and drainage is a problem. Also, the community center has no auditorium. The gymnasium is used for this purpose but the acoustics are bad, there is no stage and seating is not sufficient. In addition, kitchen facilities in the community building are not adequate.

The items included in the bill by the committee providing for additional community facilities on the Crow Creek Indian Reservation, have an estimated cost of $800,000. This estimate is based on the provision of work as outlined in the report of the consultants, Bell, Galyardt and Wells, dated April 3, 1969 ($625,000); plus the work of widening of streets and provision of offstreet parking ($25,000); providing underground drainage system ($87,500); parking near the community center ($40,000); attorney and engineering fees ($22,500); all is based on estimates of coost prepared by the consultants and escalated to reflect 1971 price conditions.

Section 4. Amend Section 221 of the Flood Control Act of 1970

This section amends section 221 of the Flood Control Act of 1970 to provide that that section shall not apply to the assurances for future demands required by the Water Supply Act of 1958, as amended. The Water Supply Act provides that for water supply storage in a Federal project to meet present water supply demands, the local interests must agree, prior to construction, to repay their share of the costs. If storage is to be included in the project for future needs, they must

give reasonable assurances, and there must be reasonable evidence, that such future needs will in fact exist. Section 221, which provides that local interests must enter into binding contracts for all requirements of local cooperation, can be interpreted as requiring a firm commitment for future water supply. This was not the intent of section 221, and this is clarified by section 4 of the bill.

Section 5. Flood Control Survey of Chiltipin Creek, Sinton, Tex.

This section authorizes a flood control survey of Chiltipin Creek at and in the vicinity of Sinton, Tex.

It is understood that about 34 inches of rainfall in a 48-hour period was recorded during Hurricane Fern which occurred in August 1971 causing flood damages estimated at $4,800,000 at Sinton. Flood damages estimated at $3,500,000 were incurred by the city of Sinton during Hurricane Beulah in 1967.

Subsequent to Hurricane Beulah, the Corps of Engineers conducted a reconnaissance investigation of the flood problem on Chiltipin Creek in the vicinity of Sinton, Tex., under the provisions of section 205 of the Flood Control Act of 1948, as amended. These preliminary studies indicated that adequate protection may be feasible and would have a total cost on the order of magnitude of $3 million. Since Federal expenditures under section 205 are limited to $1 million, the local cost would be about $2 million. Early this year local interests declined to participate in the potential project under this authority and indicated a desire to seek protection through normal congressional authorization procedures under the general investigation program of the Corps of Engineers.

In view of the severe damages at Sinton caused by floods on Chiltipin Creek, a study to determine the feasibility of improvements for flood protection at Sinton is considered warranted.

Section 6. Four-Mile Run Flood Control Project

This section modifies the Four-Mile Run flood control project in Arlandria, Va., to provide for Federal construction of the bridge located south of the Washington National Airport on the George Washington Memorial Parkway.

The Chief of Engineers in his report on the Four-Mile Run project recommended that the parkway bridge be replaced at Federal expense since it was owned and operated by the National Park Service. This was also the recommendation of the National Park Service and the Department of the Interior, although not concurred in by the Office of Management and Budget.

At the time the project was authorized by the Committees on Public Works under the provisions of section 201 of the 1965 Flood Control Act, it was imperative that action be taken to authorize the project as quickly as possible in view of the flood emergency on Four-Mile Run. The section 201 procedure was chosen because it requires only action by the Committees on Public Works. However, since section 201 limits committee authorization to projects having an estimated Federal cost of $10 million or less, it was necessary to approve

the project on the basis of the bridge replacement being a local responsibility. This resulted in an estimated Federal cost of $9,926,000, and a local cost of $6,709,000. If the bridge had been made a Federal responsibility at that time, the Federal cost would have increased to $10,934,000, exceeding the monetary level under which the Committees on Public Works can authorize small water resource projects.

Since the George Washington Memorial Parkway bridge is a federally owned and operated structure, and in view of the fact that the parkway will benefit from construction of the flood control project, it is considered inequitable to require the city of Alexandria to bear the cost of the bridge replacement. Therefore, language has been included in the bill providing for replacement of the bridge at Federal expense.

Section 7. Obion River, Tiptonville, Tenn.

This section modifies the Obion River, Tiptonville, Tenn. flood control project, to provide authority for the Chief of Engineers to acquire lands and make necessary relocations for construction of the remaining features of this project. The Tiptonville-Obion levee has been completed as far as the Obion River. However, the authorized project provides for extending the existing levee approximately 6 miles and diverting the Obion River channel parallel with the levee into the Mississippi River about 10 miles below its present junction with the terminal end of the completed levee. Completion of the project, which has been held in abeyance for a number of years, is necessary to afford protection to low areas in Dyer and Lake Counties which presently experience severe flooding. Under a 1907 Tennessee law, authority to comply with the basic Federal authority in acquisition of local rights-of-way, is vested in the county court judge. Since the levee extension and channel improvements are situated in Lauderdale County, which receives little or no benefits from the project, there is reluctance to obtain the necessary rights-of-way. Dyer and Lake Counties are prevented from securing the land for construction of the project due to the provisions of the 1907 law. While lands and relocations are normal items of local cooperation, it appears in this instance to be in the Federal interest to assume these responsibilities if the full value of the project is to be realized. Present estimated cost of the project is $6,012,000 of which $4,475,000, is a Federal cost.

Section 8. Stonewall Jackson Dam and Lake and the Rowlesburg Dam and Lake Projects

The Stonewall Jackson Dam and Lake and the Rowlesburg Dam and Lake projects were authorized with the requirement that local interests give an assurance that they will hold and save the United States free from damages resulting from water rights claims. This requirement, which appears in the project documents in accordance with which the projects were authorized, is one which the Corps of Engineers has included as a standard requirement for a number of years. The committee understands that there are a large number of projects with this requirement, and that they may be held up because

the local interests cannot constitutionally give the required assurance. The committee further understands that these projects are being examined to determine if there is any likelihood of water rights claims and, if so, whether they would appropriately be the responsibility of the local interests or the United States. In this connection, the committee notes that hold and save harmless assurances are required by law only for local flood protection works. It is hoped that the examination of the presently authorized projects containing the water rights claims assurance requirement will be completed in the near future, so that the question of the need for such an assurance can be considered on a general basis by the committee during the hearings on the next Omnibus Rivers and Harbors and Flood Control bill.

In the meantime, the bill provides for the deletion of the requirement for the Rowlesburg and Stonewall Jackson projects. These badly needed projects are unable to proceed because the local interests cannot constitutionally provide the required assurance, and the committee understands that construction and operation of these projects are not likely to result in any water rights claims. The committee, accordingly, considers the deletion of the requirement necessary and appropriate.

Section 9. Benbrook Lake

This section is identical to H.R. 9886, which has previously been reported out by the committee.

The Benbrook Lake was authorized by the River and Harbor Act of March 2, 1945, for the purposes of flood control and navigation. The navigation storage was for future use in connection with the Trinity River navigation project. The lake, placed in operation in 1952, contains 72,500 acre-feet of storage for navigation. The Trinity River navigation project, authorized in 1965, is not yet under construction.

During construction of Benbrook Lake, the city of Fort Worth expressed an interest in obtaining municipal water supply from the lake. This was not possible without legislation, and in 1956 the Congress enacted legislation (Public Law 782, 84th Congress, 70 Stat. 632) which modified the Benbrook project to authorize the Secretary of the Army to contract with the city of Fort Worth for the use of water supply storage in the lake for municipal water supply until such time as the water supply storage is needed for navigation purposes.

In 1970, that legislation was amended (Public Law 91–282) to authorize the Secretary of the Army to contract with the Benbrook Water and Sewer Authority also.

This section authorizes the Secretary to contract with the city of Arlington, Tex., for the use of water supply storage in Benbrook Lake for any storage not used by the city of Fort Worth or the Benbrook Water and Sewer Authority, for a period not to exceed 4 years or until such time as the water supply storage is needed for navigation, whichever first occurs.

The city of Arlington is facing a serious water supply problem because of the deteriorating quality of the water in its wells, brought on by the current drought. This legislation would provide relief pending improvement of their water supply problem.

Section 10. Road Improvement in the Vicinity of Perry Lake, Kans.

This section authorizes the Secretary of the Army, acting through the Chief of Engineers, to take such action as may be required to improve certain roads in the vicinity of the Perry Lake in Kansas.

The Perry Dam and Lake is located about 4 miles north of Perry, Kans., on the Delaware River. The project was authorized by the Flood Control Act of 1954 and is a unit of the general comprehensive plan of development for the Missouri River Basin. The project is operated in the combined interests of flood control, water supply, and recreation.

The roads in question are unsurfaced county roads which provide access from paved roads to the public-use recreation areas of the project, and because of the heavy project-induced traffic, it is beyond the capacity of the local interests to repair and maintain them in a condition that would satisfy project needs.

The committee is of the opinion that where a replacement road is provided it should be constructed to such standards as is required to serve the traffic needs of the area. The hard surfacing of these roads by the Federal Government as proposed in this section is amply justified in view of the serious dust problem created by existing heavy traffic using the roadway.

Section 11. Reconveying Certain Land Acquired for the Verdigris River Portion of the McClellan-Kerr Arkansas River Project, Oklahoma

This section of the bill would authorize the Secretary of the Army to reconvey to the former owners certain land previously acquired for the Verdigris River portion of the McClellan-Kerr Arkansas River Navigation project in Oklahoma.

Since there is no authority for the Secretary of the Army to reconvey lands he has acquired, it is necessary that authorization be granted specifically by Congress. This section is consistent with similar authorization for reconveyances enacted in connection with the Jim Woodruff Dam and Lake project (Georgia and Alabama), the Demopolis lock and dam project (Alabama), and the Grapevine, Garza-Little Elm, Benbrook and Whitney Lake projects in Texas.

Provision has been made in the section to avoid hardship upon subsequent adjacent owners whose interest might be otherwise adversely affected by reconveyance of land. An owner of land adjacent to the land eligible for reconveyance is given 30 days from the date of publication in which to file objections to the reconveyance with the Secretary and the former owner. If within 90 days from receipt of said objections, the adjacent owner and the former owner have not reached agreement concerning the reconveyance, the land shall be reported to the General Services Administration for disposal.

The Secretary is authorized to prescribe such regulations pertaining to notice and form of application as he deems necessary, to reserve to the United States such interests in the land to be reconveyed (with the exception of mineral rights) as he determines to be in the public interest, and to delegate his authority under this section to any officer or employee of the Department of the Army.

The section provides that the land to be reconveyed shall be sold for an amount adjusted to any increase in value resulting from improvements made thereon by the Government, as well as any decrease in value or damage to the land caused by the United States, and with allowance for decrease in value due to any reservation or condition to which the reconveyance is made subject.

It is the intention of the committee that facilities for public recreation shall not be adversely affected by any reconveyance under this section. Public access to the lakes shall be protected, existing public roads for ingress and egress shall not be adversely affected by reconveyance, and the Government's over-riding project purposes (navigation, flood control, etc.) shall not be adversely affected thereby.

Section 12. Whiteoak Dam and Lake

The report of the Secretary of the Army on the Development of Water Resources in Appalachia indicates the desirability of early construction of the Whiteoak Dam and Lake.

The multiple-purpose lake is located in Central Lowland Province in southwestern Ohio about 40 miles southeast of Cincinnati, Ohio. The 200-foot-high earthfill dam would be at mile 9.8 on Whiteoak Creek and would control a 214-square-mile drainage area. Total storage capacity would be 78,200 acre feet equivalent to 6.8 inches of runoff. Benefits would be water supply, recreation, flood control, water quality, fish and wildlife enhancement, and economic development. Associated with the lake would be an environmental resources development plan consisting of a migratory goose refuge, managed hunting lands, and a general recreation park.

The regional expansion benefit-to-cost ratio based on the employment opportunities that would be created by the project and associated works is 5.0 to 1. This project would contribute greatly to the economy of this area in Ohio Appalachia.

Section 13. Joso Bridge, Snake River, Wash.

Joso Bridge crosses the Snake River in the State of Washington in the area of the pool created by the Lower Monumental lock and dam constructed by the Corps of Engineers. Four piers of the bridge are located in the bed of the river. They rested atop concrete pedestals which were above the maximum high water level of the river. Because of the construction of the Lower Monumental project, it was necessary for the bridge owner to raise the tops of the concrete pedestals 43 feet to protect the steel piers from the water and possible collisions with debris, ice flows, or vessels. The Truman-Hobbs Act provides for Federal participation in the costs of bridge alterations necessary to prevent obstructions to navigation. However, since the alterations to the Joso Bridge were not for the purpose of preventing an obstruction to navigation, but were for the purpose of protecting the bridge from the effects of the project, the corps had no authority to compensate the bridge owner. This resulted in the anomalous situation where the bridge owner could have been compensated if his bridge were an obstruction to navigation, but could not be if he were operating a nonobstructive bridge. The committee notes that if the Lower Monumental project were authorized under present policies, the

Federal Government would participate in the costs of the bridge alterations. For these reasons, the committee considers the section equitable and appropriate. The committee understands that the costs incurred by the bridge owner were approximately $1,845.000. It is anticipated, however, that the Secretary of the Army will make an audit of these costs and make a determination as to the appropriate Federal share, taking into consideration the value to the owner of direct and special benefits from the changes in the structure including decreases in certain expenses.

Section 14. Title Identification

This section identifies the bill as the "River Basin Monetary Authorization Act of 1971."

GEORGE WILLIAM ANDREWS LOCK AND DAM, ALABAMA

(Public Law 92–229)

The purpose of this act is to designate the Columbia lock and dam on the Chattahoochee River, Ala., in honor of the late Honorable George William Andrews.

The Columbia lock and dam, authorized by Congress in 1946, is a feature in the comprehensive development of the Apalachicola, Chattahoochee, and Flint Rivers system in Florida, Georgia, and Alabama. It is located on the Chattahoochee River about 2 miles south of Columbia, Ala., in Houston County, Ala. and Early County, Ga. Construction was begun in 1959 and substantially completed in 1963.

The Columbia Dam backs up the naturally shallow Chattahoochee River to form a lake with a minimum depth of 9 feet. Fishing, boating, picnicking, and camping are enjoyed on the lake.

The late George W. Andrews of Union Springs, Ala., was elected to the House of Representatives to serve the Third District of Alabama in 1944. He served until his death on December 25, 1971. At the time of his death, he was Chairman of the Legislative Subcommittee of the Committee on Appropriations, and was deeply involved in the construction of water resources projects throughout the Nation.

THE OMNIBUS RIVERS AND HARBORS AND FLOOD CONTROL ACT OF 1972

The Omnibus Rivers and Harbors and Flood Control Act of 1972 was vetoed by the President on October 27, 1972. It would have authorized the Army Corps of Engineers to construct, modify, or otherwise participate in the provision of 34 flood control, navigation, water conservation, and other water resources projects, representing an estimated Federal construction cost of approximately $469,629,400. Various related continuing annual expenditures for other purposes would have increased this to a projected total of approximately $592,922,000.

The following tabulation indicates new projects, by location, which were included in the bill:

Lists of new projects by State

	Estimated Federal cost
Appalachian projects	[1] $50,000,000
Georgia:	
Curry Creek Lake (flood control and water supply).	
Dalton Lake (flood control and water supply).	
Kentucky:	
Midland (levees and channelization).	
Royalton Lake (flood control, water supply, channelization).	
North Carolina:	
Clinchfield Lake (flood control and water supply).	
Roaring River (flood control and water supply).	
Pennsylvania: Tamaqua (stream diversion, flood control).	
South Carolina: Clinchfield Lake (see above).	
Virginia: Hipes Lake (flood control, water supply, fishery).	
Arkansas: Cache River Basin (flood control and mitigation)	5,232,000
Kentucky:	
Salt River Basin (flood control)	50,800,000
Big South Fork (multiple purpose)	[2] 32,850,000
Mississippi:	
Pearl River (flood control)	38,146,000
Pascagoula River Basin (flood control)	32,410,400
Missouri:	
Spring River Basin (flood control)	14,600,000
Pattonsburg Lake (design adjustment)	
Oregon: Days Creek Dam (Umpqua River, flood control)	40,000,000
Pennsylvania: Presque Isle (beach erosion control)	3,500,000
Tennessee:	
Obion and Forked Deer Rivers (flood control)	6,600,000
Big South Fork (see above)	
Texas: Edwards Underground Reservoir (flood control)	42,271,000
Virginia:	
Virginia Beach (erosion control)	17,010,000
Buena Vista, Maury River (flood control)	11,539,000
West Virginia: Pocatalico River Basin (flood control)	7,545,000
Total, new projects	352,503,400

[1] Preliminary work only.
[2] Includes cost for Tennessee portion.

Also included in the bill were amended or modified projects at numerous locations, and continuing navigational maintenance-type operations, estimated at $92,126,000, and water resources studies for various purposes estimated at $25,000,000. Particular emphasis was placed upon the correction of shoreline and streambank erosion problems throughout the country, in an effort to prevent the further loss of valuable adjacent properties. Provision was made for continuation of this essential work on a procedural basis. Emergency repair projects, necessitated by floods and wind damage during recent severe storms throughout the country, were also included in the bill. In addition, had the bill become public law, it would have authorized numerous modifications and additions to existing laws affecting navigational waterways and tributaries, considered necessary to modernize them for the purpose of fulfilling current and anticipated needs.

OTHER AUTHORIZATIONS CONTAINED IN THE CONFERENCE REPORT

Section and purpose

2. Removal of the sunken steamer *Glen* from Manistee Harbor, Mich.
3. Federal maintenance of general navigation features of small boat harbors.

4. North Branch of Chicago River; maintain channel free of debris.
5. Continue operation and maintenance of the San Francisco Bay-Delta Model in Sausalito, Calif.
6. Clarification of "hold and save" provision.
7. Hudson River in vicinity of Spring Street and Rutgers slip; declared nonnavigable.
8. Conway, Ark.—alterations to municipal water supply facilities.
10. Deauthorization for projects not funded within 8 years of authorization.
11. Replacement of roads near corps projects, to meet present and projected needs.
12. Interim channel improvements for Ellicott Creek, N.Y.
13. St. Louis, Mo., flood protection project—reconstruct service and access roads.
14. Construction of highway bridge over Norfolk Lake, Ark.
15. Melvern Lake and Pomona Lake, Kans.—improve surface roads.
16. Tuttle Creek Lake, Kans.—improve County Road No. 1208.
18. Land transfer at Old Hickory lock and dam project in Tennessee to Andrew Jackson Lodge No. 5.
19. Reimbursement for economic injury as a result of Tioga-Hammond Lake project.
20. Extension for local cooperation provision.
21. Increase in monetary limitation for correction of seepage damages, Niobrara, Nebr.
22. Relocation of Federal expense portion of interceptor sewer, Mankato, Minn.
23. Assistance to States in developing water resource programs.
24. Advance to St. Joseph Manor Nursing Home, Trumbull, Conn., for sewer connection.
25. Relocation of utilities, Rahway, N.J.
26. Study of local cooperation items involving hold and save harmless provisions.
27. Study of land use and recreation practices at water-resource development projects.
28. Increase in monetary ceiling for clearing and snagging projects.
29. Increase in monetary ceiling for emergency bank protection works.
30. Construction of perimeter access roads, Lake Texoma, Tex., and Okla.
31. Land acquisition for Kehoe Lake project, Little Sandy River and Tygarts Creek, Ky.
32. Provide crossing and approaches for Collins County Road 115, at Tickey Creek, Tex.
33. Increase of Federal participation in hurricane protection projects.
34. Bank protection work along Ohio River from New Matamoras to Cincinnati, Ohio.
35. Modification of flood protection project for Scioto River, Chillicothe, Ohio.
36. Second phase of bank erosion control work, Sacramento River, Calif.
37. Ohio River bank protection work at Newburgh, Ind.
38. Yazoo River Basin, Miss.—demonstration pilot study program of bank stabilization on delta and hill areas.
39. Auburn Lake, Calif.—road construction.
40. Santa Cruz Harbor project, California—review local cooperations requirements.
41. Anaheim Bay, Seal Beach, Calif.—review local cooperation requirements.
42. Yankton, S. Dak.—Missouri River bank stabilization below Gavins Point Dam.
43. Port San Luis, San Luis Obispo Harbor, Calif.—adjustment in local cooperation criteria.
44. Ohio River Basin—detailed study and report of total benefits.
45. Missouri River between Gavins Point Dam and Sioux City, Iowa—emergency bank stabilization.
46. Beaver Brook Dam and Reservoir, Keene, N.H.—modification to local interest provision.
47. Zilpo Recreation Area—construction of road.
48. Nonnavigability of Hudson River in vicinity of West 47th Street and West 43d Street.
49. Conveyance of land to Mountrial County Park Commission, North Dakota.
50. Amendment to Disaster Relief Act of 1970.
51. Change the name of Beaver Dam, Ark., to "James W. Trimble Dam."
52. Name of Chartiers Creek project to "James G. Fulton flood protection project."

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53. Wynoochee Dam and Lake, Wash.—amendment to contract with city of Aberdeen, Wash.
54. Wynoochee Dam and Lake—assume partial cost of fish hatchery facilities.
55. Libby Dam, Kootenai River, Mont.—construction of fish hatchery facilities.
56. Libby Dam, Kootenai River, Mont.—land acquisition for wildlife grazing purposes.
57. Libby Dam (Lake Koocanusa), Mont.—compensation to drainage districts.
58. Libby Dam, Lake Koocanusa—construction of Deep Creek Bridge, Boundary County, Idaho.
59. Cape Fear to North Carolina-South Carolina State line—reimbursement to non-Federal public bodies.
60. Pattonsburg Dam, Mo.—bridge construction of Interstate 35 over Missouri River.
62. Name change from Trotters Shoals Dam and Lake to "Richard B. Russell Dam and Lake."
64. Shoreline Erosion Control Demonstration Act.
65. Streambank erosion control project—general.
66. Atchafalaya River, Bayous Chene, Boeuf, and Black, La.—modification of local-interest contribution.
67. Construction of bridge between Keokuk, Iowa, and Burlington, Ill.
69. Interim channel cleanout operations in lower Guyandot River Basin.
70. Construction of small flood protection project as result of recent disasters.
71. Big Sandy River, Ky. and W. Va.—repair and conversion of dam No. 3.
72. Moratorium on water-resources interest rate formula.

NAVIGATION SURVEYS

Miami River, Fla., with a view to determining the feasibility and advisability of dredging the river in the interest of water quality.

Port Las Mareas, P.R., with a view to determining the feasibility and advisability of the United States assuming maintenance of the project.

Corpus Christi Ship Channel, Tex., with particular reference to providing increased depths and widths in the entrance channels, from the Gulf of Mexico to a deeper draft inshore port, in the vicinity of Harbor Island, Tex.

St. Marys River, and in the vicinity of Sault Ste. Marie, Mich., with a view to determining the advisability of developing a deep draft navigation harbor and international port.

FLOOD CONTROL SURVEYS

East Two Rivers between Tower, Minn., and Vermilion Lake.

Alice, Tex.

Buffalo River Basin, N.Y. (wastewater management study).

During the 92d Congress, the committee adopted resolutions directing the Corps of Engineers to make investigations and surveys as follows:

COMMITTEE RESOLUTIONS AUTHORIZING REVIEWS OF PREVIOUS RIVER AND HARBOR BEACH EROSION CONTROL AND FLOOD CONTROL REPORTS (DATE ADOPTED AND AREA COVERED)

1971

Jan. 14____. Review by Board of Engineers for Rivers and Harbors of the report on Choctawhatchee River, Fla., and Ala., transmitted to Congress by the Secretary of the Army on Feb. 3, 1951, and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at this time.

1971—continued

Feb. 10____.	That the Board of Engineers for Rivers and Harbors of the report on the Intercoastal Waterway from Mobile, Ala., to New Orleans, La., published as H. Doc. 96, 79th Cong., and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at this time, with particular reference to providing a channel 12 feet deep and 150 feet wide, from approximately mile 93 on the Gulf Intracoastal Waterway to the Pascagoula River Channel in the vicinity of the proposed barge fleeting area south of Ingalls West Bank Facility.
Feb. 12____.	That in accordance with sec. 110 of the River and Harbor Act of 1962, the Secretary of the Army, be, and is hereby requested to cause to be made, under the direction of the Chief of Engineers, a survey of the shores of Red Fish Bay at Aransas Pass, Tex., and vicinity, in the interest of beach erosion control, hurricane protection, and related purposes.
Feb. 12____.	Review by Board of Engineers for Rivers and Harbors of the reports of the Chief of Engineers on Mississippi River, Baton Rouge to the Gulf of Mexico, La., published as S. Doc. 36, 87th Cong., on the Calcasieu River and Pass, La., published as H. Doc. 436, 86th Cong., and the Atchafalaya River and Bayous Chene, Boeuf, and Black, La., published as H. Doc. 155, 90th Cong., and other pertinent reports for the purpose of studying the feasibility of a deepwater superport on the Louisiana Gulf Coast with a view to promoting and encouraging the efficient, economic, and logical development of the Louisiana Gulf Coast area to accommodate present and future developments in shipping, with due consideration to alterantives including, but not limited to, offshore loading and/or lighting facilities. Preliminary report to be made to the Congress within 2 years of the date of adoption of this resolution.
Mar. 1____.	Review by Board of Engineers for Rivers and Harbors of the report on central and southern Florida-St. Lucie Canal, published as S. Doc. 6, 85th Cong., and other pertinent reports with a view to determining whether mitigating measures to provide erosion and sedimentation control in St. Lucie Canal, and in the estuary and tributary areas of St. Lucie River are advisable at this time, with particular reference, but not limited, to navigation, flood control, siltation, and environmental problems in those areas.
Feb. 16____.	That in accordance with sec. 110 of the River and Harbor Act of 1962, the Secretary of the Army, be, and is hereby requested to cause to be made, under the direction of the Chief of Engineers, a survey of the shores of the Gulf of Mexico, at and in the vicinity of the city of Aransas Pass, Tex., and such adjacent shores as may be necessary, in the interest of beach erosion control, hurricane protection, and related purposes.
Mar. 9____.	Review by Board of Engineers for Rivers and Harbors of the report on the Missouri River and tributaries, published as H. Doc. 238, 73d Cong., and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at the present time, with particular reference to providing a plan for the comprehensive development of the water and related land resources of the metropolitan region of Kansas City, Mo., and Kans., with due consideration for other planning activities being pursued by the Metropolitan Planning Commission-Kansas City region, particularly in the counties of Cass, Clay, Jackson, Platte, and Ray, in Missouri, and counties of Johnson, Leavenworth, and Wyandotte, in Kansas. Such study to include appropriate consideration of flood plain management practices as an alternative or supplement to works of improvement.

1971—continued

Mar. 16____	Review by Board of Engineers for Rivers and Harbors of the report on a survey of the Headwater Reservoirs, Warrior River, Ala., published as H. Doc. 414, 84th Cong., and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at this time with particular reference to providing improvements in the interest of flood control and allied purposes on Village Creek, Jefferson County, Ala.
Mar. 22____	Review by Board of Engineers for Rivers and Harbors of the report on the South Platte River and tributaries, Colorado, Wyoming, and Nebraska, published as H. Doc. 669, 80th Cong., and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at this time, with particular reference to the desirability of developing a comprehensive plan for the utilization and conservation of water and related land resources of the South Platte River Basin, in the interest of flood control, regional water supply and waste management, water quality control, recreation, fish and wildlife conservation, wise use of flood plain lands, and other measures for enhancement and protection of the environment. Investigation to be coordinated with the State of Colorado, local governmental entities, and other interested Federal and State agencies.
Mar. 24____	Review by Board of Engineers for Rivers and Harbors of the report on Columbia River and tributaries, Washington, published as S. Doc. 112, 91st Cong., and other pertinent reports, with a view to determining the feasibility of extending navigation from the pool of McNary Dam to the vicinity of Wenatchee, Wash., such review to reflect the intent of Congress, set forth in sec. 209 of Public Law 91–611, that the objectives of enhancing regional economic development, the quality of the total environment, including its protection and improvement, the well-being of the people of the United States, and the national economic development are the objectives to be included in federally financed water resource projects, and in the evaluation of benefits and costs attributable thereto, giving due consideration to the most feasible alternative means of accomplishing these objectives.
Mar. 26____	Review by the Chief of Engineers, U.S. Army, in cooperation with the State of Missouri, political subdivisions, agencies, and instrumentalities thereof, and appropriate Federal agencies, prior reports on the Missouri River Basin, published as H. Doc. 519, 81st Cong., and H. Doc. 549, 81st Cong., and related reports including H. Doc. 578, 87th Cong., with a view to determining the feasibility of establishing the Stockton and Harry S Truman Lakes as the Osage unit of the national recreation area system, and to report to Congress his views and recommendations thereon.
Mar. 26____	Review by the Chief of Engineers, U.S. Army, in cooperation with the States of Georgia and South Carolina, political subdivisions, agencies and instrumentalities thereof and appropriate Federal agencies, prior reports on the Savannah River and tributaries, published as H. Doc. 657, 78th Cong., and related reports including S. Doc. 52, 89th Cong., with a view to determining the feasibility of establishing Clark Hill, Trotters Shoals and Hartwell Lakes as the Savannah unit of the national recreation area system and to report to Congress his findings and recommendations thereon.

1971—continued

Mar. 26____	Review by the Chief of Engineers, U.S. Army, in cooperation with the States of Arkansas and Missouri, political subdivisions, agencies and instrumentalities thereof and appropriate Federal agencies, prior reports on the White River and tributaries, including H. Doc. 917, 76th Cong., and related reports, with a view to determining the feasibility of establishing Bull Shoals, Norfolk, Table Rock, and Beaver Lakes as the Ozark unit of the national recreational area system, and to report to the Congress his findings and recommendations thereon.
Mar. 26____	Review by the Chief of Engineers, U.S. Army, in cooperation with the State of Oklahoma, political subdivisions, agencies and instrumentalities thereof and appropriate Federal agencies, prior reports on the Arkansas River Basin, published as H. Doc. 758, 79th Cong., and related reports with a view to determining the feasibility of establishing the Fort Gibson, Robert S. Kerr, Tenkiller Ferry and Webers Falls Lakes as the Oklahoma unit of the national recreation area system and to report to the Congress his findings and recommendations thereon.
Apr. 6_____	Review by Board of Engineers for Rivers and Harbors of the report on Tampa Harbor, Fla., published as H. Doc. 401, 91st Cong., and other pertinent reports, with a view to determining the advisability of modifying the existing project at the present time by incorporating all of East Bay Channel and turning basin north of and contiguous to the present project into the existing Tampa Harbor project, Florida, for Federal maintenance thereof.
Apr. 30_____	Review by Board of Engineers for Rivers and Harbors of the reports on Portland Harbor, Maine, published as H. Doc. 216, 87th Cong., and other pertinent reports, with a view to determining the advisability of eliminating the sources of drift and debris by removal and disposal of dilapidated structure and derelicts along the shores of Portland Harbor, Maine.
May 3_____	Authorizes the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys coordinated with other interested Federal agencies, of the Pocotalico River Basin, Roane, Kanawha, Putnam, and Jackson Counties, W. Va., to determine the advisability of constructing a project consisting of a major reservoir, near the authorized Corps of Engineers Poca Reservoir, and upstream watershed improvements, substantially as recommended in the Kanawha River Basin comprehensive report all in the interest of flood prevention and control, waste disposal, water quality control, water supply, recreation, fish and wildlife, environmental quality, watershed protection, and allied purposes, with particular reference to immediate development and submission of an interim report on measures to alleviate critical water supply problems at the communities of Sissonville and Walton, W. Va. Report to be prepared and submitted in compliance with the provisions of Public Law 639, 87th Cong.
May 5_____	Review by Board of Engineers for Rivers and Harbors of the report of the Chief of Engineers on Kihei District, Maui, Hawaii, transmitted to Congress by the Secretary of the Army on Aug. 20, 1965, with a view to determining whether any modifications of the recommendations contained therein are advisable at this time in light of changed conditions in the area.

1971—continued

May 6_____	Review by Board of Engineers for Rivers and Harbors of the report on the Missouri River and tributaries, published as H. Doc. 238, 73d Cong., and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at the present time, with particular reference to providing a plan for the development, utilization and conservation of water and related land resources of the metropolitan region of Omaha, Nebr.-Council Bluffs, Iowa, with due consideration for the metropolitan planning activities in the 7-county area, consisting of Cass, Douglas, Sarpy, and Washington Counties in Nebraska, and Harrison, Mills, and Pottawattamie Counties in Iowa. Such study to include appropriate consideration of the needs for protection against floods, wise use of flood plain lands, navigation facilities, regional water supply and waste management facilities systems, general recreational facilities, enhancement and control of water quality, enhancement and conservation of fish and wildlife, and other measures for environmental enhancement, economic and human resources development, and shall be harmonious components of comprehensive development plans formulated by various planning agencies and other interested Federal agencies.
May 13____	Review by Board of Engineers for Rivers and Harbors of the report on the Potomac River Basin published as H. Doc. 343, 91st. Cong., and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at this time, and further, through detailed investigation, research and experimentation in coordination with other Federal agencies and the States, determining possible solutions of the critical acid mine drainage problems in the North Branch of the Potomac River Basin and the advisability of their adoption.
May 25____	Review by Board of Engineers for Rivers and Harbors of the reports of the Chief of Engineers on commercial navigation channels and harbors along the gulf coast, including the area between Brownsville, Tex., and Tampa, Fla., with a view to promoting and encouraging the efficient, economic and logical development of facilities to accommodate present and future waterborne commerce and, in particular, determine facilities required to accommodate very large bulk cargo carriers including, but not limited to, offshore facilities.
May 26____	Review by Board of Engineers for Rivers and Harbors of the reports on the Mississippi River between Coon Rapids Dam, Minn., and mouth of the Ohio River, published as H. Doc. 669, 76th Cong., and other pertinent reports, with a view to determining the advisability of providing improved commercial harbor facilities at and in the vicinity of St. Louis, Mo.
June 3_____	That in accordance with sec. 110 of the River and Harbor Act of 1962, the Secretary of the Army, be, and is hereby requested to cause to be made under the direction of the Chief of Engineers, a survey of the shores of the State of North Carolina at and in the vicinity of the Hatteras Island Beach, fronting the developed areas just north of the Cape Hatteras lighthouse on the Outer Banks, and such adjacent shores as may be necessary, in the interest of beach erosion control, hurricane protection, and related purposes.

1971—continued

June 11____ Review by Board of Engineers for Rivers and Harbors of the report on the Platte River and tributaries, Colorado, Wyoming, and Nebraska, published as H. Doc. 197, 73d Cong., and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at this time, with particular reference to the desirability of developing a comprehensive plan for the utilization and conservation of water and related land resources of the North Platte River Basin, in the interest of flood control, including the purchase or reallocation of space in existing storage projects, regional water supply and waste management, water quality control, hydroelectric power, recreation, fish and wildlife conservation, wise use of flood plain lands, and other measures for enhancement and protection of the environment.

June 29____ Review by Board of Engineers for Rivers and Harbors of the report on Siuslaw River and Bar, Oreg., published as H. Doc. 204, 85th Cong., and other pertinent reports, with a view to determining whether any modifications of the existing project are advisable at this time, with particular reference to establishing jetties of even length into the ocean at the mouth of the river.

July 20_____ Review by Chief of Engineers, U.S. Army, of the reports on the Mississippi River and tributaries projects, published as H. Doc. 308, 88th Cong., and other pertinent reports, with a view to determining whether any modification of the recommendations contained therein are advisable at this time, with respect to existing and planned flood control and drainage work in the St. Francis River Basin, Mo. and Ark., with particular reference to improvements in the interest of fish and wildlife conservation and related recreational use.

July 21_____ Review by Board of Engineers for Rivers and Harbors of the report on the Yellowstone River and tributaries, Wyoming, Montana, and North Dakota, published as H. Doc. 216, 81st Cong., and other pertinent reports, with a view to determining whether improvements in the interest of bank erosion, flood control, and allied purposes are advisable at this time, particularly along the Yellowstone River in McKenzie County, N. Dak.

Sept. 10____ Review by Board of Engineers for Rivers and Harbors of the reports on the Galveston Harbor and Channel, Houston ship channel, and Texas City Channel, Tex., published as H. Doc. 350, 85th Cong., and other related reports, with a view to determining whether the existing project should be modified in any way at this time, with particular reference to the desirability of modifying the existing Barbour terminal channel.

Sept. 15____ That in accordance with sec. 110 of the River and Harbor Act of 1962, the Secretary of the Army, be, and is hereby requested to cause to be made under the direction of the Chief of Engineers, a survey of the shores of the State of Virginia, at and in the vicinity of Willoughby Spit in the city of Norfolk, Va., and as such adjacent shores as may be necessary, in the interest of beach erosion control and hurricane protection, and other related matter.

1971—continued

Oct. 27_____	Review by Board of Engineers for Rivers and Harbors of the reports on commercial navigation channels and harbors along the Atlantic Coast between Eastport, Maine and Hampton Roads, Va., with a view to determining the most efficient, economic and logical means of developing facilities to accommodate very large bulk cargo carriers including, but not limited to, offshore facilities. In carrying out this study, consideration shall be given to a governing organization and financing methods to construct, operate, and maintain such regional facilities serving more than one of these areas as may be found desirable, to ensure equitable benefits to such areas. Further, in carrying out this study, the Corps of Engineers shall cooperate with and coordinate its efforts with all affected Federal departments, agencies, and instrumentalities, including the President's Council on Environmental Quality, the Environmental Protection Agency, and all other interested parties, public and private, and, in addition, shall insure that any project proposals include appropriate measures for the protection and/or enhancement of the environment.
Nov. 2_____	Review by Board of Engineers for Rivers and Harbors of the report on the Delaware River and tributaries, New York, New Jersey, Pennsylvania, and Delaware, published as H. Doc. 522, 87th Cong., and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at the present time, with particular reference to providing improvements in the interest of flood control, regional water supply and waste water management, water quality control, recreation, and other measures for the enhancement and protection of the environment, in the Chester Creek watershed in Delaware and Chester Counties, Pa.
Nov. 5_____	Review by Board of Engineers for Rivers and Harbors of the report on the Santee River system, North Carolina and South Carolina, published as S. Doc. 189, 78th Cong., and other pertinent reports with a view to determining whether any modifications of the recommendations contained therein are advisable at this time, with particular reference to providing improvements in the Sugar Creek Basin, N.C. and S.C., in the interest of flood control and allied purposes.
Nov. 22____	Review by Board of Engineers for Rivers and Harbors of the reports on the Murderkill River, Del., printed as Senate Document 106, 71st Congress, and the St. Jones River, Del., printed as House River and Harbor Committee Document No. 18, 75th Congress, and other pertinent reports, with a view to determining whether modification of the existing projects is advisable at the present time, with particular reference to the feasibility of providing a common entrance channel in Delaware Bay, together with other appurtenant navigation structures.
Nov. 23____	Board of Engineers for Rivers and Harbors requested to determine the advisability of improvements in the interest of wastewater management and alternatives thereto, in the Cleveland, Ohio metropolitan area in connection with investigations authorizd for a survey of the Great Lakes by section 102 of the Rivers and Harbors Act of 1966. In carrying out the aforesaid investigation, the Board shall evaluate general alternatives for the management of wastewater on a regional basis, including the elimination of pollutant discharges and shall conduct such investigation with the participation, consultation, and cooperation of the Environmental Protection Agency and State and local water pollution control agencies and, where appropriate, State and local agencies with environmental planning responsibilities.

1971—continued

Nov. 30____ Review by Board of Engineers for Rivers and Harbors of the report on the Intracoastal Waterway, Jacksonville to Miami, Fla., published as House Document 222, 85th Congress, and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at the present time, with particular reference to improvement and maintenance of the Boca Raton Inlet and Channel.

Dec. 1_____ That the Chief of Engineers, U.S. Army, is hereby requested to review the report on the Mississippi River and tributaries project, published as House Document 308, 88th Congress, and other pertinent reports, with a view to determining whether the replacement of the Berwick Lock in the West Atchafalaya Basin Protection Levee, St. Mary Parish, La., by a larger lock is justified at this time, in the interest of flood control, navigation, drainage, and other allied purposes.

Dec. 11____ Review by Board of Engineers for Rivers and Harbors of the report of the Chief of Engineers on the Ohio River and tributaries, Pennsylvania, Ohio, and West Virginia, published as House Document 306, 74th Congress, and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at this time, with particular regard to the need for repair, modification or replacement of the Milton Dam and Reservoir, Mahoning River, Ohio.

Dec. 13____ Review by Board of Engineers for Rivers and Harbors of the report on Mississippi River, Baton Rouge to the Gulf of Mexico, Louisiana, published as Senate Document 36, 87th Congress, and other pertinent reports, with a view to determining whether the existing project should be modified in any way at this time, with particular reference to providing a continuous channel 50 feet deep by 500 feet wide from Baton Rouge to the Gulf of Mexico.

Dec. 29____ Review by Board of Engineers for Rivers and Harbors of the report on the Ouachita River and tributaries, published as Senate Document 117, 81st Congress, and on the Arkansas River and tributaries, published as House Document 758, 79th Congress, and other pertinent reports, with a view toward determining whether any modifications of the recommendations contained therein are advisable at this time, with particular reference to providing a plan for the development, utilization, and conservation of water and related land resources of the metropolitan area of Pine Bluff, Ark. Such study to include appropriate consideration of the needs of flood protection, wise use of flood plain lands, navigation facilities, water supply and waste management facilities systems, general recreational facilities, enhancement and control of water quality, enhancement and conservation of fish and wildlife, and other measures for environmental enhancement, economic and human resources development.

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Jan. 18____ Review by Board of Engineers for Rivers and Harbors of the reports on Cook Inlet and tributaries, Alaska, published as House Document 34, 85th Congress; Copper River and Gulf Coast, Alaska, published as House Document 182, 83d Congress; Tanana River Basin, Alaska, published as House Document 137, 84th Congress; Yukon and Kuskokwim River Basins, Alaska, published as House Document 218, 88th Congress; and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at the present time, with particular reference to the Susitna River hydroelectric power development system, including the Devil Canyon project and any competitive alternatives thereto, for the provision of power to the Southcentral-Railbelt area of Alaska.

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Jan. 27_____ Review by Board of Engineers for Rivers and Harbors of the report on Passamaquoddy-St. John River Basin power project, Maine, transmitted to Congress by the President of the United States on July 12, 1965, published as House Document 236, 89th Congress, and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at this time, with particular reference to providing improvements in the interest of flood control and allied purposes.

Feb. 4_____ Review by Board of Engineers for Rivers and Harbors of the report on the Missouri River and tributaries, published as House Document 238, 73d Congress and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at this time, with particular reference to providing improvements for the optimum development of the water and related land resources of the Judith River Basin in Montana.

Feb. 21_____ Review by Board of Engineers for Rivers and Harbors of the report on Bayou Lafourche and Lafourche Jump Waterway, La., published as House Document 112, 86th Congress, and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at this time with particular reference to providing adequate channel dimensions to meet the needs of existing and future navigation.

Feb. 28_____ Review by Board of Engineers for Rivers and Harbors of the reports on the Potomac River and tributaries, Maryland, Virginia, West Virginia, and Pennsylvania, published as House Document 622, 79th Congress; the Susquehanna River and tributaries, New York, Pennsylvania, and Maryland, published as House Document 702, 77th Congress; the Delaware River, New York, New Jersey, and Pennsylvania, published as House Document 179, 73d Congress; the Ohio River, published as House Document 306 74th Congress; and other pertinent reports, with a view to determining whether potentially hazardous flooding conditions may exist in coal-mining areas, both underground and surface. Such review shall be made in conjunction with the on-going study of the effects of surface mining authorized by section 233 of the Flood Control Act of 1970, and in cooperation with the governments of the States and appropriate political subdivisions thereof and with other appropriate Federal agencies. Any hazardous conditions found during the study by the Board of Engineers for Rivers and Harbors shall be reported immediately to the appropriate Federal, State, and local department and/or agencies, as well as to the Congress. The Secretary of the Army acting through the Chief of Engineers, in addition to reporting hazardous conditions, shall provide advice and counsel to the States in the nature of timely remedial measures necessary to mitigate or obviate the hazardous conditions. This reporting and counseling will relate especially to impoundments constructed by owners and operators of coal mining activities for the purpose of and in connection with coal-washing. Copies of any hazardous condition report and of any advisory as to the remedial measures issued by the Secretary of the Army, acting through the Chief of Engineers, shall be supplied simultaneously to the appropriate local political subdivision officials, and to the Bureau of Mines of the U.S. Department of the Interior. And, in addition, appropriate consideration shall be given during the course of this investigation to the need for developing an adequate flood warning system to be used by State and local officials, and the owners and operators of coal-washing impoundments to notify area residents of the imminent danger of the possible failure or such impoundments.

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Mar. 2_____ That the Secretary of the Army, acting through the Chief of Engineers, is hereby authorized, in connection with the preparation of plans to meet the long-range water needs of the northeastern United States as authorized by section 101 of Public Law 89–298, to cooperate with the Commonwealth of Massachusetts, in conducting a joint study to recommend improvements in wastewater management and alternative thereto within the Commonwealth of Massachusetts, and the Boston Metropolitan area. The scope of such study shall be established with the consultation of the Commonwealth of Massachusetts, and the Environmental Protection Agency and shall include measures for wastewater management including cleanup and restoration in the interest of water supply, environmental quality, recreation and fish and wildlife and shall incorporate the overall water resources and wastewater management implementation program previously determined by the Commonwealth of Massachusetts, and approved by the Environmental Protection Agency. In order to avoid duplication of effort and expense, as well as to provide the orderly implementation of the studies and investigations authorized by this resolution, the Corps of Engineers is hereby directed to use the findings and recommendations of the New Hampshire Water Supply and Pollution Control Commission as published in the Commission's report titled, "Merrimack River Basin Plan," February 1972, and any amendments thereto, as the sole basis for the corps' recommendations relating to the New Hampshire portion of the Merrimack River Basin.

Mar. 2_____ Review by Board of Engineers for Rivers and Harbors of the reports on the Apalachicola, Chattahoochee and Flint Rivers, Ga., and Fla., published as House Document 342, 76th Congress; the Altamaha, Ocone and Ocmulgee Rivers, Ga., published as House Document 68, 74th Congress; and the Etowah River, Ga., published as House Document 674, 76th Congress, and other pertinent reports with a view to determining whether any modification of the recommendations contained therein are desirable at this time, with particular reference to providing a plan for the development, utilization and conservation of water and related land resources for Atlanta, Ga., and contiguous areas. Such studies will include, but not be limited to, consideration of the needs for flood control, wise use of flood plain lands, wastewater management facilities, regional water supply, water quality control, recreation, fish and wildlife conservation, and other measures for enhancement and protection of the environment on streams tributary to the Chattahoochee, Flint, Ocmulgee, and Etowah Rivers. These investigations will be coordinated with the State of Georgia, appropriate local governmental entities, including the Atlanta Metropolitan Area Planning and Development Commission; and other interested Federal agencies.

Mar. 6_____ Review by Board of Engineers for Rivers and Harbors of the report on the Atlantic Intracoastal Waterway from Beaufort, N.C., to Cape Fear, N.C., published as House Document No. 450, 69th Cong., and other pertinent reports, with a view to determining the advisability of reopening Corn Cake Inlet, Brunswick County, N.C., in the interest of navigation, pollution and siltation abatement, fish and wildlife development, and other purposes.

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Mar. 7_____	Review by Board of Engineers for Rivers and Harbors of the report on the Guyandotte River and tributaries. W. Va., published as H. Doc. 569, 87th Cong., and other pertinent reports, with a view to determining whether the recommendations contained therein should be modified in any way at the present time, with particular reference to the Buffalo Creek Sub-Basin of the Guyandotte River Basin, Logan County, W. Va., to determine appropriate measures to be taken in the interest of flood prevention, river development, and socioeconomic well-being. The studies will include, but not be limited to, natural water treatment and water supplies, water resources development, including channel rectification and improvement, or other protective measures, management and regulation of flood plain development, including outdoor recreation potentials, all with a view to protecting and enhancing human and natural environment.
Mar. 23____	That the Chief of Engineers, U.S. Army, in cooperation with other interested Federal and State agencies, such as the Environmental Protection Agency, and the Louisiana Stream Control Commission, be, and is hereby requested to review the report on the Mississippi River and tributaries project, published as H. Doc. 308, 88th Cong., and other pertinent reports, with a view to developing a comprehensive plan for the management and preservation of the water and related land resources of the Atchafalaya River Basin, La., which would include provisions for reduction of siltation; improvement of water quality; and possible improvements of the area for commercial and sport fishing.
Mar. 24____	Review by Board of Engineers for Rivers and Harbors of the reports on Miami Harbor, Fla., published as S. Doc. 93, 90th Cong., and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at the present time, in the interest of navigation, pollution abatement, and other allied water purposes.
Apr. 4_____	Review by Board of Engineers for Rivers and Harbors of the report relating to the existing project for central and southern Florida, published as H. Doc. 643, 80th Cong., and other pertinent reports, with a view to determining whether any modifications of the recommendations therein are advisable at the present time, giving particular consideration to determining the best future use of water and related land resources, including development, and conservation of these resources; the geographic area to include, but not be limited to, Lake Okeechobee and all lands draining into it and all lands including coastal and estuarine areas south of the lake and of Caloosahatchee River and St. Lucie Canal extending from the Atlantic Ocean to the Gulf of Mexico. The study, with a view to improving the quality of the environment in the overall public interest, shall also include consideration of the impact of existing and proposed land and water uses on man and his environment, assessment of estuarine areas, means for maintenance of appropriate quality of water and identification of areas of particular susceptibility to flood and drought.
Apr. 11____	Review by Board of Engineers for Rivers and Harbors of the report on southeastern Alaska, published as H. Doc. 501, 83d Cong., and other pertinent reports, with a view to determining the advisability of modifying the recommendations contained therein at the present time, with particular reference to providing improvements in the interest of small-boat navigation at Saxman, Alaska.

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Apr. 24_____	Review by Board of Engineers for Rivers and Harbors of the report on Indian River and Bay, Del., published as H. Doc. 330, 76th Cong., and other pertinent reports, with a view to determining the advisability of providing improvements in the vicinity of Indian River Inlet and Bay, at the present time, in the interests of small-boat navigation.
May 19_____	Review by the Chief of Engineers, U.S. Army, of the report of the Mississippi River Commission on the Mississippi River and tributaries project, published as H. Doc. 308, 88th Cong., and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at this time, with particular reference to providing a harbor and related facilities in Phillips County, Ark.
May 25_____	Review by Board of Engineers for Rivers and Harbors of the report on Delaware River Basin published as H. Doc. 522, 87th Cong., and other pertinent reports, with a view to determining whether any improvements in the interest of flood control of both an urban and rural nature, navigation, water supply, wastewater management, recreation, and other allied purposes, with due consideration to preserving and enhancing environmental values, are advisable at the present time, in the Christina River Basin.
May 25_____	That the Secretary of the Army, acting through the Chief of Engineers, is hereby authorized, in connection with the preparation of plans to meet the long-range water needs of the northeastern United States as authorized by sec. 101 of Public Law 89–298, to cooperate with the State of Connecticut in conducting a study to recommend improvements in wastewater management and alternative thereto within the Housatonic River Basin. The scope of such study shall be established with the consultation of the State of Connecticut and the Environmental Protection Agency and shall include measures for wastewater management including cleanup and restoration in the interest of water supply, environmental quality, recreation, fish and wildlife, and other allied water purposes, and shall be conducted with the participation, consultation, and cooperation of the Environmental Protection Agency and State and local water pollution control agencies and, where appropriate, State and local agencies with environmental planning responsibilities.
June 6_____	Review by Board of Engineers for Rivers and Harbors of the report of the Chief of Engineers on Interim Report No. 7—Yukon and Kuskokwim River Basins, Alaska, published as H. Doc. 218, 88th Cong., and other pertinent reports, with a view of determining whether any modifications of the recommendations contained therein are advisable at this time, with particular reference to providing improvements in the interest of flood control and allied purposes, on the Kuskokwim River at and in the vicinity of McGrath, Alaska, and at other locations where improvements may be found justified.
June 7_____	Review by Board of Engineers for Rivers and Harbors of the report on the Mississippi River-Gulf Outlet, published as H. Doc. 245, 82d Cong., and other pertinent reports, with a view to determining whether the existing project should be modified in any way at this time, with particular reference to providing high-level highway crossings over the connecting links between the Mississippi River and the Mississippi River-Gulf Outlet.
June 8_____	Review by Board of Engineers for Rivers and Harbors of the reports on the Columbia River and the Mouth, Oregon and Washington, published as H. Doc. 249, 83d Cong., and other pertinent reports, with a view to determining the advisability of modifying the existing project in any way at this time, with particular reference to providing increased depth in the navigation channel.

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June 15____ That in accordance with section 110 of the Rivers and Harbors Act of 1962, the Secretary of the Army be, and is hereby, requested to cause to be made under the direction of the Chief of Engineers, a survey of the shores of the State of South Carolina at and in the vicinity of Folly Beach, Charleston County, S.C., and such adjacent shores as may be necessary, in the interest of beach erosion control, hurricane protection, and related purposes.

June 19____ Review by the Chief of Engineers, Department of the Army, of the report on the Mississippi River between Cairo, Ill., and Baton Rouge, La., published as H. Doc. 509, 78th Cong., and other pertinent reports, with a view to determining whether the existing project should be modified to provide a navigation channel with greater dimensions than now authorized between Cairo, Ill., and Baton Rouge, La.

June 19____ Review by Board of Engineers for Rivers and Harbors of the reports on the Escambia River, Fla., published as H. Doc. 350, 81st Cong., and on the St. Marks River, Fla., H. Doc. 255, 83d Cong., and other pertinent reports on intervening drainage areas between the Escambia and St. Marks Rivers in Florida, with a view to determining whether any modifications of the recommendations contained therein are advisable at the present time, with particular reference to providing a plan for the development, utilization and conservation of water and related land resources of the river basins, coastal streams, lakes and estuarine zones along the Gulf of Mexico with due consideration for water and related land resources planning and management activities in the 11-county area, consisting of Escambia, Santa Rosa, Okaloosa, Walton, Bay, Washington, Gulf, Calhoun, Franklin, Liberty, and Wakulla Counties in Florida and adjacent coastal areas. Such study to include appropriate consideration of the needs for protection against floods, wise use of flood plain lands, navigation facilities, regional water supply and waste management facilities systems, general recreational facilities enhancement and control of water quality, enhancement and conservation of fish and wildlife, and other measures for environmental enhancement, economic and human resources development, and shall be harmonious components of comprehensive development plans formulated by various planning agencies and interested Federal agencies.

July 6_____ Review by Board of Engineers for Rivers and Harbors of the reports on the Ohio River and tributaries, published as House Document 306, 74th Congress, and other pertinent reports, with a view to determining whether further improvements should be constructed at this time, with particular reference to providing a comprehensive plan for flood control and other urban water resource needs and responses, to the problems of the region for Wheeling, W. Va. and vicinity.

July 7_____ Review by Board of Engineers for Rivers and Harbors of the report on Lynn Harbor, Mass., contained in House Document 568, 81st Congress, and other pertinent reports, with a view to determining the advisability of any modifications of the existing project at this time.

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July 7_____	Review by Board of Engineers for Rivers and Harbors of the report on the Susquehanna River and tributaries, New York, Pennsylvania, and Maryland, published in House Document 702, 77th Congress, and other reports in order to determine generally whether any modifications of the recommendations contained therein are advisable and specifically to determine the advisability of adopting further improvements for flood control and allied purposes in view of the heavy damages and loss of life caused by hurricane flood of June 1972, with a view to preparing a comprehensive plan for the development of the water resources of the Susquehanna River Basin in the States of New York and Maryland and the Commonwealth of Pennsylvania in the combined interest of flood control, water supply recreation, pollution abatement, and other beneficial water uses.
July 10____	Review by Board of Engineers for Rivers and Harbors of the reports on Savannah Harbor, Ga., published as House Documents 226 and 263, 89th Congress, and previous reports, with a view to determining whether the existing project should be modified in any way at this time.
July 10_____	Review by Board of Engineers for Rivers and Harbors of the Basin Wide Water Resources Development Report on the Raritan River Basin, N.J., published as H. Doc. 53, 71st Cong., and other pertinent reports with a view toward need for modification of previous recommendations and the advisability of adopting further recommendations for flood control, local storm drainage, and other allied purposes including: A determination of the present and projected future extent and frequency of flooding based on present and projected land uses; consideration of detention methods for both regional and local storm drainage; recommendations for flood plain preservation to minimize future damages from flooding; and evaluation of the potential for ground water recharge for consumptive use; a thorough evaluation of all possible alternate solutions to flood problems.
Sept. 29____	That the Secretary of the Army and the Secretary of Agriculture are hereby authorized and directed to make joint investigations and surveys, coordinated with other Federal agencies, of the Wolf and Loosahatchie Rivers and Nonconnah Creek in Shelby, Fayette, Tipton, and Hardeman Counties, Tennessee, and DeSota, Marshall, Tippah, and Benton Counties, Miss., to determine the advisability of constructing a project consisting of major reservoirs and channel improvements on the Wolf and Loosahatchie Rivers and the Nonconnah Creek and for upstream watershed improvements, all in the interests of flood prevention and control, waste disposal, water quality control, water supply, recreation, fish and wildlife, environmental quality, watershed protection, and allied purposes, with particular reference to the immediate development and submission of an interim report on measures to eliminate critical floodwater and sediment problems on Nonconnah Creek and to provide needed waterbased recreational opportunities and watershed protection within this basin. The report to be prepared and submitted in compliance with the provisions of Public Law 630, 87th Congress.
Sept. 29____	Review by Board of Engineers for Rivers and Harbors of the reports on the Gulf-Intracoastal Waterway (Louisiana-Texas section, including the Morgan City-Port Allen Route) submitted in H. Doc. 556, 87th Cong., 2d sess., and subsequent reports, with a view to determining the advisability of modifying the existing project in any way at this time, particularly with regard to widening and deepening the existing and/or authorized channels.

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Oct. 2_____	Review by Board of Engineers for Rivers and Harbors of the report on Hoosic River, New York, Vermont, and Massachusetts, published as House Document 182, 86th Congress, and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at the present time, with particular reference to the desirability of extending the Adams, Mass., flood control project, from Lime Street, to the North Adams line, including the area at and in the vicinity of Southwick Brook, in the interest of flood control and allied purposes, to recommend flood plain management programs, and, in connection with the preparation of plans to meet the long-range water needs of the northeastern United States as authorized by section 101 of Public Law 89–298, to cooperate with the Commonwealth of Massachusetts, the State of Vermont, and the State of New York in conducting a study to recommend improvements in wastewater management and alternatives thereto within the Hoosic River Basin. The scope of such study shall be established with the consultation of the Commonwealth of Massachusetts, the State of Vermont, the State of New York and the Environmental Protection Agency and shall include measures for wastewater management including cleanup and restoration in the interest of water supply, environmental quality, recreation, fish and wildlife, and other allied water purposes, and shall be conducted with the participation, consultation, and cooperation of the Environmental Protection Agency and State and local water pollution control agencies and, where appropriate, State and local agencies with environmental planning responsibilities.
Oct. 2_____	Review by Board of Engineers for Rivers and Harbors of the reports on the Cumberland River, Kentucky and Tennessee, published as House Document 761, 79th Congress, second session, and Senate Document 81, 83d Congress, second session, and the report of the Chief of Engineers on the Tennessee River and tributaries, North Carolina, Tennessee, Alabama, and Kentucky, published as House Document 328, 71st Congress, second session, and other applicable reports on both rivers with a view to determining what improvements to the Cumberland and Tennessee Rivers, generally below the connecting Barkley Canal, and their relation to the inland waterways system, are advisable for navigation and other purposes at the present time.
Oct. 2_____	Review by Board of Engineers for Rivers and Harbors of the report on the Mississippi River between Coon Rapids Dam and the mouth of the Ohio River, published as House Document 669, 76th Congress, 3d sess., and other pertinent reports, with a view to determining whether any modification of the recommendations contained therein are desirable at this time, with particular reference to providing a plan for the development, utilization, and conservation of water and related land resources of the metropolitan area of St. Louis, Mo., with due consideration for the metropolitan planning activities in the area consisting of Franklin, Jefferson, St. Charles, and St. Louis Counties and the city of St. Louis in Missouri, and Madison, Monroe, and St. Clair Counties in Illinois. Such study to include, but not be limited to, consideration of the needs for flood control, wise use of flood plain lands, waste water management facilities, including storm water runoff, regional water supply, water quality control, recreation, fish and wildlife conservation, protection and enhancement of esthetic qualities, and other measures for enhancement and protection of the environment on streams in the metropolitan area, investigation to be conducted in cooperation with the East-West Gateway Coordinating Council, the States of Missouri and Illinois, local governmental entities, and other interested Federal, State, and local agencies as appropriate.

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Oct. 3_____ Review by Board of Engineers for Rivers and Harbors of the reports on the Neuse River Basin, N.C., published as House Document 175, 89th Congress, and the Cape Fear River, N.C., published as House Document 193, 93d Congress, 2d session, and other pertinent reports with a view to determining whether any modifications of the recommendations contained therein are desirable at this time, with particular reference to providing a plan for the development, utilization and conservation of water and related land resources for Raleigh, Durham, and Chapel Hill, N.C., and contiguous areas. Such studies will include, but not be limited to, consideration of the needs for flood control, wise use of flood plain lands, waste-water management facilities, regional water supply, water quality control, recreation, fish and wildlife conservation, and other measures for the enhancement and protection of the environment on stream tributary to the Neuse and Cape Fear Rivers and shall be harmonious components of comprehensive development plans formulated by the various planning agencies. These investigations will be coordinated with the State of North Carolina, appropriate Government entities, and other interested Federal agencies.

Oct. 5_____ Review by Board of Engineers for Rivers and Harbors of the reports on the Ouachita River and tributaries, published as Senate Document 117, 81st Congress, and other pertinent reports with a view to determining whether any modifications of the recommendations contained therein are advisable at the present time with reference to providing a plan for the development, utilization, and conservation of water and related land resources of the Ouachita River Basin. Such study to include appropriate consideration of the needs of flood protection, wise use of flood plain lands, navigation facilities, regional water supply and waste water management facilities systems, general recreational facilities, enhancement and control of water quality, enhancement and conservation of fish and wildlife and other measures for enhancement and protection of the environment.

Oct. 26_____ Review by Board of Engineers for Rivers and Harbors of the reports on the White River and tributaries, Missouri and Arkansas, published as House Document 499, 83d Congress, and other pertinent reports, with a view to determining the advisability of modifying the recommendations contained therein, with particular reference to operation of Beaver Lake, Ark., and to measure for flood control and urban drainage; regional water and wastewater management facilities; recreation; power; and allied purposes on the White River and tributary streams discharging into Beaver Lake.

Oct. 27_____ Review by Board of Engineers for Rivers and Harbors of the reports on Cooper River and Gulf Coast, Alaska, published as House Document 132, 83d Congress, 1st session, and other report, with a view to determining the advisability of modifying the recommendations contained therein at the present time, with particular reference to providing a dredged channel at Orca Inlet in the vicinity of Cordova, Alaska, to meet the needs of present and prospective navigation.

Oct. 31_____ Review by Board of Engineers for Rivers and Harbors of the reports on Jacksonville Harbor, Fla., published as House Document 214, 89th Congress, 1st sess.; St. Johns River, Fla., Jacksonville to Lake Harvey, published as House Document 445, 78th Congress, 2d sess.; and other pertinent reports, with a view to determining whether any modifications of the recommendations contained therein are advisable at the present time, with particular reference to providing a plan for the development, utilization and conservation of water and related land resources of the Consolidated City of Jacksonville, which includes the urban area of Jacksonville and all of Duval County, Fla.; and related contiguous areas, with due consideration for the metropolitan

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planning activities in these areas. Such study to include appropriate consideration of the needs for land drainage and protection against floods, wise use of flood plain lands, navigation facilities, urban renewal, mass transportation, regional water supply and waste management facilities systems, general recreational facilities, enhancement and control of water quality, solid waste and sludge disposal, enhancement and conservation of fish and wildlife, and other measures for environmental enhancement and economic and human resources development, and shall be harmonious components of comprehensive development plans formulated by various State and local planning agencies and other interested Federal agencies.

Oct. 31_____ Review by the Board of Engineers for Rivers and Harbors of the reports on southeastern Alaska, published as House Document 501, 83d Congress, 2d sess. with a view to determining whether any modification of the recommendations contained therein is advisable at this time, with particular reference to construction of a breakwater or other facilities in the interest of navigation at Kasaan Harbor, Alaska.

RESOLUTIONS APPROVING PROJECTS UNDER THE PROVISIONS OF SECTION 201 OF THE FLOOD CONTROL ACT

Section 201 of the 1965 Flood Control Act (Public Law 89–298) permits the Committees on Public Works to approve, by resolution, those water resource projects favorably recommended by the Chief of Engineers having an estimated Federal cost of less than $10 million. When approved by resolutions of both committees, the project is eligible for construction, subject to the availability of funds for that purpose.

Projects approved by the Senate Public Works Committee during the 92d Congress, are as follows:

Document No.	Project	Estimated Federal cost	Date approved
S. Doc. 91–119	University Wash., Riverside, Calif	$5,278,000	June 22, 1971
H. Doc. 91–428	San Leandro Marina, Calif	74,000	Do.
H. Doc. 91–423	Dunkirk Harbor, N.Y	530,000	Do.
H. Doc. 92–105	Tybee Island, Ga	404,000	Do.
H. Doc. 92–115	Beals Creek, Big Spring	1,578,000	Do.
H. Doc. 92–153	Frio River in the vicinity of Three Rivers, Tex	2,193,700	Nov. 18, 1971
H. Doc. 92–121	Galveston Harbor and Channel, Tex	1,630,000	Do.
H. Doc. 92–152	Mississippi River at Winona, Minn	8,975,000	Do.
H. Doc. 92–137	Murrells Inlet, Georgetown County, S.C	4,346,000	Do.
H. Doc. 92–168	Northport Harbor, Door County, Wis	1,540,000	June 30, 1972
H. Doc. 92–161	Mississippi River at Moline, Ill	5,300,000	June 22, 1972
H. Doc. 92–196	Panama City Harbor, Fla	2,165,000	Do.
S. Doc. 92–64	Metlakatla Harbor, Metlakatla, Alaska	2,160,000	Oct. 12, 1972
H. Doc. 92–200	Hoonah Harbor, Alaska	3,710,000	Do.
H. Doc. 92–197	Des Mcines River at Ottuma, Iowa	76,000	Do.
H. Doc. 92–360	Perry County Drainage and Levee Districts Nos. 1, 2, and 3, Missouri.	2,670,000	Do.
H. Doc. 92–198	North Shore of Long Island, Suffolk County, N.Y	3,000,000	Do.
H. Doc. 92–362	Little River Inlet, N.C. and S.C	6,271,000	Do.
H. Doc. 92–363	Point Place, Toledo, Ohio	672,000	Do.
H. Doc. 92–341	Peyton Creek, Tex	6,895,000	Do.
H. Doc. 92–199	Texas City Channel, Tex	2,302,000	Do.

WATERSHED PROTECTION AND FLOOD PREVENTION ACT

The Watershed Protection and Flood Prevention Act (Public Law 566, 83d Congress, amended by Public Law 1018, 84th Congress, and subsequent amendments) authorizes the Secretary of Agriculture, through the Soil Conservation Service, to assist local organizations in planning and carrying out projects for flood prevention and to assist them in the conservation, development, utilization, and disposal of water. The law requires approval by committee resolution of any watershed plan involving an estimated Federal cost in excess of $250,000 or which includes any structure providing more than 2,500 acre-feet of total capacity. Such approval of any plan containing a single structure of less than 4,000 acre-feet total capacity will be the responsibility of the Committees on Agriculture, and those in excess of such capacity will be approved by the Committees on Public Works.

The act provides for inclusion of storage for municipal or industrial water supply, irrigation, or other purposes, in reservoirs constucted as a part of a watershed project. A limitation of 12,500 acre-feet of floodwater detention capacity and a total capacity of 25,000 acre-feet is placed on any single structure in such a watershed plan. Projects involving less than $250,000 Federal contribution to construction costs and containing any structure having less than 2,500 acre-feet capacity do not require review by other Federal agencies and the Congress.

The small watershed program has proved very popular over the entire country. A large number of projects have been authorized and studies are continuing on numerous other proposed projects. These projects provide an excellent opportunity for development of reservoirs on small streams and tributaries for flood control, irrigation, recreation, and storage for municipal and industrial water supply.

WATERSHED PROJECTS APPROVED BY THE COMMITTEE ON PUBLIC WORKS DURING THE 92D CONG. IN COMPLIANCE WITH THE PROVISIONS OF LAW

Watershed	Federal cost	Non-Federal cost	Total cost	Benefit-cost ratio	Date approved
Alabama: Tallaseehatchie Creek	$4,057,000	$1,263,000	$5,320,000	1.3–1	June 22, 1971
Georgia: Cedar Creek	704,000	647,000	1,351,000	1.7–1	Do.
Illinois:					
Lower Mckee Creek	3,963,000	4,057,000	8,020,000	1.6–1	Do.
Upper Mckee Creek	2,737,000	3,561,000	6,298,000	1.5–1	Do.
Kansas: West Sector Whitewater	2,103,000	2,426,000	4,529,000	1.6–1	Do.
Nebraska: Tekamah-Mud Creek	1,236,000	502,000	1,738,000	1.3–1	Oct. 12, 1972
New Hampshire: Sugar River	4,232,000	3,767,000	7,999,000	1.7–1	Do.
North Dakota: Mid-South Branch, Forest River	2,006,000	1,051,000	3,057,000	1.5–1	June 22, 1971
Oklahoma: Red Run-Coffin Creek	1,388,000	1,688,000	3,076,000	3.1–1	Do.
South Carolina: Eighteen Mile Creek	885,000	623,700	1,508,800	1.0–1	Oct. 12, 1972
Tennessee: Little Bigby Creek	1,746,000	786,C00	2,532,000	1.3–1	June 22, 1971
Texas:					
Ecleto Creek	2,000,000	2,953,000	4,953,000	1.3–1	Do.
Pond Creek	2,337,000	2,251,000	4,588,000	1.5–1	Do.
Sanderson Canyon	4,481,000	289,000	4,770,000	1.7–1	Do.
Virginia: Ni River	367,000	560,000	927,000	1.5–1	Do.
West Virginia: Mill Creek	3,942,000	1,840,000	5,782,000	2.8–1	Do.
Total	18,589,000	16,056,000	34,645,000		

PROJECTION OF ACTIVITIES DURING 93D CONGRESS

It is the committee's intent, during the 93d Congress, to concentrate more upon the exercise of oversight functions, insofar as Corps of Engineer project activities are concerned, than has been the policy in recent years. The committee further intends to strongly advocate and pursue the implementation of a program to accomplish widespread streambank and shoreline erosion control, more effectively and economically than current procedures permit. Greater emphasis will be placed on cost control, through the application of value engineering principles. The committee also plans to participate more actively with the corps and Soil Conservation Service in determining various environmental effects of recommended projects at the earliest practicable time, in order that problems encountered may be resolved without delay.

CHAPTER II

REPORT ON THE SUBCOMMITTEE ON AIR AND WATER POLLUTION ACTIVITY IN THE 92D CONGRESS

The Subcommittee on Air and Water Pollution, chaired by Senator Edmund S. Muskie (Democrat, Maine), is responsible for legislation and oversight in the Committee on Public Works relating to air and water pollution, solid waste management and resource recovery, control of noise and other matters affecting the environment. During the 92d Congress, the subcommittee produced major new laws in the areas of water and noise pollution and devoted considerable time to oversight of Federal efforts to control air pollution and solid waste which were undertaken pursuant to laws passed in 1970.

In 1972, the subcommittee held 24 days of public hearings and 10 executive sessions relating to subcommittee matters. Members also participated in 39 conference committee sessions with Members of the House of Representatives. In 1971, the subcommittee held 25 days of public hearings and participated in 46 executive sessions relating to subcommittee matters.

Water Pollution Legislation

Final enactment of the Federal Water Pollution Control Act Amendments of 1972 was the subcommittee's most important achievement. This law was based on 33 days of hearings in 1970 and 1971. The hearings totaled 6,400 pages and included testimony by 170 witnesses and 470 additional written statements. The bill was reported to the Senate after 45 executive sessions of the subcommittee and the committee. It passed the Senate by a vote of 86 to 0 on November 2, 1971.

After the House acted on the bill in late March of 1972, subcommittee members met in 39 conference committee sessions with representatives of the House Committee on Public Works. Thus, subcommittee members met a total of 117 times in developing the most comprehensive water pollution legislation ever enacted.

On September 14, 1972, the conferees reached agreement. Both Houses of Congress agreed to the conference report on October 5—the Senate by a margin of 74 to 0.

The water pollution bill was vetoed by the President on October 17, but the veto was overridden by a 52-to-12 margin in the Senate and a 247-to-23 margin in the House. The water pollution bill was enacted into law as Public Law 92–500 on October 18, 1972.

Key provisions of the Federal Water Pollution Control Act Amendments of 1972 relate to:

POLLUTION DILUTION

The law specifically bans pollution dilution as an alternative to waste treatment, although streamflow augmentation is recognized as a useful means of reducing the environmental impact of runoff from nonpoint sources.

IN-PLACE POLLUTANTS

Because of the rigorous nature of the test to be applied to any application for a permit for the disposal of dredged spoil, the law provides for a program to assure that the economic base of Great Lakes harbors would not be disrupted by environmental requirements. The law intends that a major effort be put forth to remove in-place pollutants, especially toxic pollutants, from harbors in the Great Lakes and that material be disposed of in a manner which shall assure minimal environmental impact.

CONSTRUCTION GRANTS

The law authorizes $18 billion for fiscal years 1973–75 for 75 percent Federal grants to communities through contract authority for construction of sewage treatment facilities. This provision also authorizes grants for the reconstruction of existing sewage collection systems and the installation of new collection systems in existing communities but not new communities. Priority on the distribution of funds made available is to be given to the construction of needed waste treatment facilities.

A requirement in the previous law that a State participate in each project in order to receive a higher level of Federal assistance is removed. This should provide the States with more flexibility in the distribution of limited funds.

The new law changes the financing method to a contract authority approach with contract obligations later fulfilled by appropriations. This way the States and communities are assured an orderly flow of Federal payments. This should in turn result in substantial savings and efficiency.

The law provides for reimbursement to those agencies—including States, municipalities, and intermunicipal agencies—which have continued with their water pollution control construction programs but which did not receive the full amount of Federal contributions. The $2.75 billion authorized for this purpose is intended to place all States and cities on an equal basis and to redress any discrimination that may have existed in prior programs against those larger municipal agencies which were unable to take full advantage of the Federal sharing programs in effect at various times since the inception of the program.

AREA WASTE TREATMENT MANAGEMENT

The law requires the development of areawide waste management plans with statewide planning, either through a regional process in a designated area or by the State for areas outside of designated regions. There must be a waste management planning process initiated within 1 year after enactment, and initial plans must be filed with the Administrator within 2 years after that process is initiated. Waste manage-

ment agencies must be designated covering the entire area of the State. More than one management agency may be designated in any planning region, and existing entities, including local governments or the State itself, are to be utilized where appropriate.

EFFLUENT LIMITATIONS

A two-phase program is established for the application and enforcement of effluent limitations. The first phase requires point sources to achieve that level of effluent reduction identified as "best practicable control technology" no later than July 1, 1977; the second phase requires the application of "best available control technology" by July 1, 1983.

In defining "best practicable" for any given industrial category, the Environmental Protection Agency is expected to take a number of factors into account. These factors should include the age of the plants, their size, the unit processes involved, and the cost of applying such controls.

The EPA may interpret "best practicable" to require higher levels of control than any currently in place if it determines that the technology to achieve those higher levels can be practicably applied.

The law requires that implementation plans and compliance schedules in existing water quality standards be adhered to, to the extent that those plans and schedules require compliance no later than July 1, 1977, and to the extent that they call for a degree of pollution control no less stringent than that defined by "best practicable control technology."

A different test is applied to the Environmental Protection Agency's determination of "best available demonstrated technology." In determining the degree of effluent reduction to be achieved for a category or class of sources by 1983, the EPA may consider a broader range of technological alternatives and should, at a minimum, review capabilities which exist in operation or which can be applied as a result of public and private research efforts.

In making the determination of "best available" for a category or class, the EPA is expected to apply the same principles involved in making the determination of "best practicable" (outlined above), except as to cost-benefit analysis. As to the cost of "best available" technology, the law intends that, while cost should be a factor in the Environmental Protection Agency's judgment, no balancing test will be required. Also, rather than establishing the range of levels in reference to the average of the best performers in an industrial category, the range should, at a minimum, be established with reference to the best performer in any industrial category.

The distinction between "best pacticable" and "best available" is intended to reflect the need to press toward increasingly higher levels of control in 6-year stages. Through the research and development of new processes, modifications, replacement of obsolete plans and processes, and other improvements in technology, it is anticipated that it should be possible, taking into account the cost of controls, to achieve by 1983 levels of control which approach and achieve the elimination of the discharge of pollutants.

INFORMATION AND GUIDELINES

The Environmental Protection Agency must publish guidelines for the establishment of the effluent limitations to be achieved by categories and classes of point sources (other than publicly owned treatment works).

EPA is expected to be precise in the guidelines so as to assure that similar point sources with similar characteristics, regardless of their location or the nature of the water into which the discharge is made, will meet similar effluent limitations.

However, EPA may modify any effluent limitation based on "best available technology" to be achieved by July 1, 1983, with respect to any individual point source, upon a showing by the owner or operator of such point source that an effluent limitation so modified will represent the maximum use of technology within the economic capability of the operator and will result in reasonable further progress toward the goal of the elimination of the discharge of pollutants.

The law clearly intends that the decisionmaking responsibility, as in the Clean Air Act, for guidelines and regulations to be published under this act rests, unless otherwise specified, with the Administrator of EPA and not such other agencies as the Office of Management and Budget and the National Industrial Pollution Control Council. EPA regulations and guidelines are not to be reviewed by these and other agencies prior to their promulgation except on the same basis as review and comment by members of the public. OMB comment and review should thus come in the form of comments available to the public, made during the period for public comment.

NATIONAL STANDARDS OF PERFORMANCE—NEW SOURCES

In order to assure that a reasonable cost test is met, the Administrator must take into account the cost of compliance with any new source performance standards as applied to any category or class of new sources. The law expects that this cost test would be considerably more restrictive than the test which would be applied to "best available technology" because pollution control alternatives are available to a new source which are not available to existing sources.

It may be that in most instances, the technology for elimination of discharge of pollutants from new sources can be achieved on a considerably more reasonable basis than for existing sources. The law intends that this alternative be examined carefully and each determination of standards applicable to any category of new sources be periodically reexamined by the Administrator to insure that any new source constructed does the best that can be done in terms of performance.

TOXIC AND PRETREATMENT EFFLUENT STANDARDS

Each municipal waste treatment plant must, as a condition of a permit for discharge, identify all industrial users of that plant and the pretreatment requirements applicable to each industrial user. A violation by the industrial user of pretreatment requirements would be enforceable directly against that user by the EPA.

FEDERAL ENFORCEMENT

EPA is required to issue abatement orders where it finds that any person is in violation of enumerated regulatory requirements of the act.

It is expected, of course, that upon receipt of information giving the EPA reason to believe that a violation has occurred, it has an affirmative duty to take the steps necessary to determine whether a violation has occurred, including such investigation as may be necessary, and to make a finding as expeditiously as practicable.

It is intended that enforcement actions be initiated against both continuous and intermittent violations of effluent limitations as well as against violations of compliance schedules. Because permits are expected to include precise compliance schedules, the Administrator must initiate enforcement action whenever there are delays in such actions as completion of plans and design, letting of contracts, initiation of construction, or the meeting of construction deadlines.

OIL AND HAZARDOUS SUBSTANCE LIABILITY

The law provides that during the first 2 years following enactment, a penalty procedure establishing a liability limit of $50,000 for nonremovable discharges of oil and hazardous substances from vessels and onshore and offshore facilities shall apply. At the expiration of this 2-year period, a modified liability-penalty provision will be implemented. The 2-year period should provide the Administrator with ample opportunity to designate those substances which are hazardous and cannot be removed, and to establish a penalty level for each.

During the initial 2-year period, the Administrator and affected parties will examine any problems associated with administrative establishment of liability limits. This period will also permit examination of the need for legislation to improve the existing methods of storing, shipping, and handling hazardous substances which cannot be removed from the water.

Prior to the expiration of the 2-year period under which the penalty is operative, and after the maritime industry, the insurance industry, the chemical industry, and appropriate Federal agencies have examined the implications of the modified liability-penalty provision, legislative recommendations should be made to the appropriate committees of Congress as to the needs to improve the capability of vessels to avoid hazardous substance spills. Should new legislation be considered, any liability provisions imposed will be reviewed and necessary changes proposed by the Committees on Public Works.

NATIONAL STUDY COMMISSION

The law provides for a study to provide Congress with an independent evaluation of the economic, social, and environmental implications of the regulatory aspects of the legislation.

THERMAL DISCHARGES

Thermal pollutants will be regulated as any other pollutant unless an owner or operator of a point source can prove that a modified

thermal limitation can be applied which will assure "protection and propagation of a balanced indigenous population of fish, shellfish, and wildlife."

CERTIFICATION

The certification provision provides that a State water pollution control agency will have an opportunity to determine whether or not effluent limitations established for discharges subject to a section 402 permit will be at least as stringent as any applicable requirements of an existing State program. Secondly, a State may attach to any federally issued license or permit such conditions as may be necessary to assure compliance with water quality standards in that State.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

The law provides that the Administrator may review any permit issued pursuant to this act as to its consistency with the guidelines and requirements of the act. In addition, should the Administrator find that a proposed permit does not conform to the guidelines issued pursuant to this act, he shall notify the State of his determination. The permit cannot be issued until the Administrator determines that the necessary changes have been made to assure compliance with such guidelines and requirements.

The Administrator is permitted to waive entirely his authority to review permits for certain categories and classes of pollution sources to all States which receive a delegation. The Administrator is also permitted to specify categories and classes for which he will not review for specific States on the basis of programs in existence in those States.

No enforcement action should be taken for failure to have a permit until December 31, 1974. This will provide an adequate opportunity for the Administrator to review and issue or not issue permits for applications pending on the date of enactment or pending as a result of expansion of the program.

Concern has been expressed that the "immunity" provision will cause dismissal of pending enforcement actions under the Refuse Act of 1899. Section 4 of the 1972 act, the savings provision, provides the following relevant words pertaining to the Refuse Act:

> No suit, action, or other proceeding lawfully commenced by or against the Administrator or any other officer or employee of the United States in his official capacity * * * shall abate by reason of the taking effect of the amendment made by section 2 of this act.

Without question, it is intended that this provision includes enforcement actions brought under the Refuse Act, the Federal Water Pollution Control Act, and any other acts of Congress.

Additionally, it should be noted that the Administrator may immediately act on pending permit applications. Should he deny a permit to an applicant, enforcement provisions would also be available immediately.

OCEAN DUMPING

The law provides for the Administrator to review any proposed discharge into the oceans prior to the issuance of guidelines under this section and to make a determination whether or not such discharges are in the public interest.

This section regulates the discharge of any pollutants subject to this act from any outfall sewer regardless of where that sewer ends and from any vessel within the 3-mile limit, any other legislation to the contrary notwithstanding. Should the Administrator find that criteria established by other legislation regulating discharges into the territorial sea from vessels are in conflict with this act, this legislation prevails.

PERMITS FOR DREDGED OR FILL MATERIAL

The law intends that the Secretary of the Army have the permit-issuing authority with respect to the disposal of dredged spoil. However, the Administrator of the Environmental Protection Agency has three clear responsibilities and authorities.

First, the Administrator has both responsibility and authority for failure to obtain a permit for disposal of dredged spoil or failure to comply with the condition thereon. Enforcement authority is available because discharge of the "pollutant"dredged spoil without a permit or in violation of a permit would violate effluent limitations established by the act.

Second, the Environmental Protection Agency must determine whether or not a site to be used for the disposal of dredged spoil is acceptable when judged against the criteria established for fresh and ocean waters similar to that required under the ocean dumping section of the law.

Third, prior to the issuance of any permit to dispose of spoil, the Administrator must determine that the material to be disposed of will not adversely affect municipal water supplies, shellfish beds and fishery areas (including spawning and breeding areas), wildlife or recreational areas in the specified site. Should the Administrator so determine, no permit may issue.

DISPOSAL OF SEWAGE SLUDGE

The law includes a provision which relates to the disposal of sewage sludge from waste treatment plants. Disposition of sewage sludge (either by dumping sludge on land in such a fashion as to run off into waters or dumping in the ocean in such a manner as would have it returned into territorial waters) in any manner which might affect the inland or coastal navigable waters is prohibited. This provision should, in conjunction with the provision which regulates any ocean dumping inside the 3-mile limit, provide adequate safeguards against immediate threats to the shorelines, beaches and fish, shellfish and wildlife, and recreational resources in coastal areas.

EMERGENCY POWERS

Under the law, the Administrator may seek an injunction against any discharge which presents an imminent substantial endangerment to the health of persons, to their economic well-being, or to fish and wildlife. This provision is intended to be a supplement to and not a substitute for the regulatory provisions of the bill.

CITIZEN SUITS

For purposes of the citizen suit section of the law, a citizen is defined as a "person or persons having an interest which is or may be adversely affected." Thus, under the language of the law, a citizen suit may be brought only by those persons or groups which are among those whose interest (whether environmental or economic) is or may be injured by the violation of the act which is the basis of the suit. Citizens seeking to bring an action are required to give appropriate notice and wait 60 days before filing suit to give the appropriate administrative agencies a chance to act.

OTHER AFFECTED AUTHORITY

The law intends to clarify the relationship between the Federal Water Pollution Control Act (FWPCA) and the National Environmental Policy Act (NEPA) and to extend the provisions of NEPA to two activities of the Administrator: the making of grants for the construction of publicly owned waste treatment works and the issuance of permits under section 402 of the FWPCA to "new sources" as defined in the law.

Application of sections 102(2)(C) and 102(2)(D) of NEPA to the making of waste treatment grants requires the Administrator to consider "alternative" methods of waste treatment which may have the beneficial effect of decreasing blind reliance on "secondary treatment" and stimulate more innovative methods of waste treatment. Additionally, the Administrator is required to consider the various "alternatives" described in sections 102(2)(C) and 102(2)(D) of NEPA in connection with the proposed issuance of a permit to a new source.

Further, this provision addresses itself to the authority of Federal licensing and permitting agencies, other than EPA, as relates to effluent limitations and other requirements established pursuant to the FWPCA. EPA is the sole Federal agency specifically charged with comprehensive responsibility to regulate the discharge of pollutants into the waters of the United States. Section 511(c)(2) will ensure that no source of discharge which is in lawful compliance with an effluent limitation established pursuant to the FWPCA will be required to meet a different standard as a condition of a license or permit granted by another Federal agency, such as the Atomic Energy Commission. Such agencies shall accept as dispositive the determinations of EPA and the States; however, nothing in section 511(c)(2) is to be construed to discharge any Federal licensing or permitting agency, other than EPA, from the full application of NEPA.

ENVIRONMENTAL FINANCING AUTHORITY

The law establishes an Environmental Financing Authority (EFA) to assist communities unable to obtain adequate financing to fund the local share of the cost of waste treatment projects assisted by this act. EFA will cease to exist on July 1, 1975. This termination date was included to permit a complete reevaluation of EFA at an early date.

The law does not intend that EFA come into competition with the private underwriting market, nor should EFA become involved in

any circumstances where a community can borrow money on the open market at reasonable rates. EFA is intended only to assist those communities which, after a reasonable attempt to obtain financing in the private market, have been unable to obtain funds needed to construct waste treatment facilities at a reasonable cost.

Noise Control Legislation

In 1972 the subcommittee developed the first comprehensive legislation for the control of noise. The subcommittee held public hearings on noise control legislation, including S. 3342, S. 1016, and H.R 11021, on March 24, 1972, in San Francisco, Calif., and on April 12 and 13, 1972, in Washington, D.C. Following the public hearings there were two executive sessions by the subcommittee and six executive sessions by the full committee, culminating in the committee's reporting S. 3342, the Environmental Noise Control Act of 1972, on September 19, 1972. S. 3342 passed the Senate on October 13 and its text was adopted as an amendment to H.R. 11021, which had passed the House on February 29, 1972. H.R. 11021 was finally approved by both Houses of Congress on October 18 when the House agreed to the Senate amendments with a further amendment in the nature of a substitute, which the Senate subsequently accepted.

Key features of Public Law 92–574 provide for the regulation of noise from manufactured products, aircraft, and interstate carriers. The Administrator of the Environmental Protection Agency is required to identify products which are major sources of noise and which fall into the categories of construction equipment, transportation equipment, any motor or engine, or electrical or electronic equipment. He must establish noise emission standards for these products within 24 months after enactment.

Not only must EPA determine the level of noise emissions from a product which will assure that the product's use under varying conditions will not contribute to unacceptable environmental noise levels, EPA must also be assured that noise emission standards for a product will be adequate to protect public health and welfare when that product is used in combination with other products or sources of noise. This will necessitate standards for an individual source of noise which are considerably more stringent than might be required if that product were always to be used alone. In establishing these regulations, the Administrator must consider as a minimum requirement the technology which is available to reduce noise.

Additionally, States and local governments retain the right to adopt and enforce controls on environmental noise which are more stringent than Federal product standards, through the licensing, regulation or restriction of the use, operation or movement of any product or combination of products. State and local regulatory agencies will be aided by EPA, which is required to develop and publish information identifying levels of environmental noise at which adverse effects on pubic health and welfare can be avoided with an adequate margin of safety.

The Environmental Protection Agency is also authorized to initiate a regulatory process to protect public health and welfare from aircraft noise. The Administrator shall conclude within 9 months a study of

aircraft noise problems, including the implications and means of achieving levels of cumulative noise around airports, the adequacy of existing noise emission standards and operational controls, and the impact of aircraft noise on public health and welfare. Subsequent to that study the Administrator is required to take the lead on the control of aircraft noise, submitting regulations adequate to protect public health and welfare from aircraft noise and sonic boom. Such regulations must include proposed means of reducing noise in airport environments through the imposition of curfews, the application of noise emission standards on new and existing aircraft, and the imposition of flight path alternatives and controls to increase the load factor on commercial flights or other reductions in the joint use of airports.

Within 30 days, the Administrator of the Federal Aviation Administration shall publish the EPA-proposed regulations as a notice of proposed rulemaking and, within 60 days he must hold a public hearing on the EPA proposal. On the basis of that hearing and after consultation with the EPA, the FAA must publicly accept, modify, or reject the regulations contained in the EPA proposal. The FAA Administrator is required, as the result of the hearing process and after consultation with the EPA, to prescribe regulations to implement the proposed or modified recommendations. In summary, both a technological response in the form of emission standards and a regulatory procedure in the form of operational and other airport noise controls must be established.

The Federal Aviation Administration's regulatory responsibility is retained in order to assure technological availability and to insure air safety. However, the FAA, following the lead of EPA, will be required to promulgate regulations which assure protection of public health and welfare in airport environments even where it is not possible to achieve necessary noise reductions through the application of specific emission controls on engines and aircraft.

The decisions of the Administrator of the Federal Aviation Administration in accepting, modifying, or rejecting the proposals of the Environmental Protection Agency, or in promulgating aircraft noise standards, are subject to judicial review. In addition, any individual can bring suit against the Administrator of the Federal Aviation Administration for failure to perform a duty which is not discretionary. In such a case, the test of the Administrator's action is not whether it is arbitrary or capricious, but whether it is consistent with the express requirements of the act.

The Administrator of the Environmental Protection Agency is also authorized to establish noise emission standards for interstate carriers, including railroads, trucks, and buses. Where there is effective Federal regulation, preemption is provided to reduce the impact of conflicting State and local noise controls on interstate carriers. However, the Administration is permitted to waive this provision as necessitated by local conditions or where not in conflict with Federal regulations, to protect the publc health and welfare.

Twenty-one million dollars is authorized for fiscal years 1973 through 1975 to implement the noise control program.

S. 3342 as passed by the Senate recognized the need to promote State and local governmental responsibility for noise control, given the

varying cumulative noise levels of different areas. Thus, in addition to preserving existing State and local authority to establish and enforce controls on the overall noise level of a given environment, the Senate bill directed the Administrator of the Environmental Protection Agency to provide Federal support to State and local environmental noise control agencies to develop or maintain programs for the control of noise, through both grants and technical assistance.

Another basic feature of the Senate bill not contained in Public Law 92–574 would have given the EPA the primary responsibility for the reduction of noise in airport environments. Not only would the Administrator initiate the regulatory process, but he would conduct this process in all major stages, including the promulgation of noise measurement standards and aircraft noise emission standards. The FAA was given a secondary role of determining that EPA-proposed regulations were consistent with safety in air commerce and that the required technology was available for application to particular aircraft.

Another deleted provision would have specifically authorized a 1-year study by the Secretary of Transportation on the means of financing the retrofitting of existing jet aircraft. However, such a study will be made by EPA under section 7(a) of Public Law 92–574, which requires an investigation of the means of retrofitting or phasing out existing aircraft.

Additionally, a provision of S. 3342 prohibited supersonic landings in the United States unless such aircraft could comply with noise emission standards prescribed for subsonic craft. No such comparable provision is included in the final version.

National Environmental Centers

In March of 1971, several members of the committee introduced the National Environmental Laboratory Act of 1971. The bill was designed to establish a national system of environmental laboratories which would provide needed research and data on environmental pollution. Ultimately, 34 Senators cosponsored this legislation.

Following 6 days of public hearings, the bill, retitled the National Environmental Centers Act of 1971, was reported to the Senate on November 30, 1971, and passed on December 7, 1971. The House did not act on this bill in the 92d Congress.

Interstate Environment Compact Legislation

On January 24, the subcommittee held a hearing on S. 907, a bill to permit establishment of interstate environmental compacts. The bill had previously been reported from the judiciary committee. An executive session was held on this bill on February 15 at which time it was reported to the Senate with amendments. The subcommittee amendments, which were accepted by the Senate on March 1, 1972, provided assurances that provisions of interstate compacts affecting the environment could be reviewed by Congress, before final adoption, to avoid any adverse implications for the environment. The House did not act on the interstate compacts bill during the 92d Congress.

Clean Air Act Oversight Hearings

The subcommittee, in 1972, initiated a greatly expanded effort to examine implementation of legislation within its area of responsibility. This effort began February 16 with the start of hearings on implementation of the Clean Air Amendments of 1970. The Clean Air Act oversight activity included 12 days of hearings in Washington, one field hearing in Los Angeles, Calif., on March 25, and an executive session on June 2 at which representatives of the Environmental Protection Agency discussed potential criminal violations by the auto companies in implementing the Clean Air Act.

The hearings were divided into two stages. The first stage examined implementation of title I, which requires the development of State implementation plans to assure that primary air quality standards are met by 1975 (guaranteeing air quality which will protect the public health) and that secondary air quality standards (guaranteeing air quality that will protect the public welfare) are met by a reasonable time thereafter. Title I also establishes uniform national standards for performance of new stationary sources of air pollution and for air pollution from hazardous substances. In regard to title I, testimony at the hearings and staff investigations indicated that:

(1) Officials at the White House, the Office of Management and Budget, and the Department of Commerce (working through its National Industrial Pollution Control Council) assumed a major role in developing and revising key guidelines relating to the Clean Air Act. The hearings produced a flow chart—repudiated by EPA—which showed that OMB, rather than EPA would be responsible for final review of State implementation plans. In addition, testimony indicated that the NIPCC reviewed EPA guidelines before they were made public, that members of NIPCC commented on EPA guidelines during the public review stages, and that NIPCC had a third opportunity to review, comment on, and revise EPA guidelines after the public review period had closed. Subsequent investigations indicate that OMB delayed issuance of guidelines relating to hazardous substances since the spring of 1972, with the result that, 2 years after enactment of the Clean Air Act, no action has been taken to control air pollution from such dangerous substances as asbestos. The final publication of standards relating to lead in gasoline, originally proposed in February 1972, was also delayed for many months.

(2) The specific requirement of the Clean Air Act that emission limitations be imposed on industrial polluters as an element of the control strategy of State plans was ignored. Instead, EPA was allowing a "closed loop" control strategy favored by industrial polluters. This strategy, State and local witnesses testified, was one which made it very difficult to monitor performance and enforce clean air standards.

(3) Clear legislative history and the administration's own guidelines under the 1967 Clean Air Act, which prohibited degradation of air quality in areas with air cleaner than the standards, were being ignored and degradation was being permitted. In effect the Clean Air Act, which Congress intended as a device to achieve cleaner air, was being interpreted as a license to make clean air dirtier up to certain

maximum levels. Though EPA defended this interpretation, a U.S. district court and a court of appeals have ruled that EPA was wrong and that the Clean Air Act does prohibit degradation of clean air.

(4) At the direction of the Office of Management and Budget and the National Industrial Pollution Control Council, EPA had revised its guidelines to allow consideration of cost effectiveness by States in developing regulations to protect public health, despite clear legislative history that public health not be sacrificed to short-term cost considerations. Several witnesses testified that this changed interpretation resulted in heavy pressure by industries against States which desired to adopt strict control regulations.

(5) Major Federal leadership was urgently needed in developing new technology to control air pollution from stationary sources—particularly sulfur oxide pollution from coal-burning electric powerplants. However, this Federal leadership appeared to be lacking because the administration planned to spend only about one-fourth of the amount authorized by Congress for research. Research efforts in some areas, including sulfur oxide control, were actually being curtailed, although there was no evidence that techniques had been developed and perfected to the point where they could be readily marketed to solve the air pollution problems.

Subsequent to the hearings, the Environmental Protection Agency reviewed and approved most of the State plans for achieving primary air quality standards in the five air pollutant categories for which EPA had published standards. In most instances where the States, as allowed by the law, requested extensions of the 1975 deadline for achieving primary air quality standards, the extensions were granted despite the fact that most States requesting extensions appeared to have made little effort to achieve desired levels of air quality through land use or transportation controls. These controls were suggested in the Clean Air Act as devices to improve air quality if controls of individual emissions alone were not adequate.

The second phase of the hearings concerned title II, the provisions of the Clean Air Act establishing emission control standards for motor vehicles, including requirements for a 90-percent reduction of carbon monoxide and hydrocarbon emissions by 1975 and a 90-percent reduction of nitrogen oxide emissions by 1976. While the hearings were in progress, EPA denied the automakers' request for a 1-year extension of the 1975 emission control standards. The hearings and staff investigations indicated that—

(1) Technology appeared to be available to meet the 1975 air quality standards despite a study by the National Academy of Sciences which indicated the contrary. During testimony, witnesses from the NAS admitted that their study was based primarily on data supplied from the auto industry. Subsequent to the hearing, manufacturers of three automobiles, Mercedes Benz, Mazda, and Honda, have indicated that their cars will meet the 1975 standards.

(2) EPA had determined that (A) they would not allow the auto industry to gain certification of cars as meeting the standards through "averaging" of vehicles, allowing some to be produced that were below the standards and (B) if replacement of elements of the emission control system was required before the end of the useful life of the

car, these replacements would be made at no additional costs to the auto owner (that is, the cost would have to be included in the purchase price of the car). Auto industry executives had termed these two points "major concessions" which if granted would make it much easier for them to meet the 1975 standards. An EPA rulemaking proposed in November indicated that the Administration was revising its views and tending away from requiring replacement costs to be paid at time of purchase.

(3) Many of the cost figures for meeting the 1975 standards which were being discussed were grossly inflated over actual cost. Such figures represented sticker price or retail price and included sizable markups in price over the actual cost to the manufacturer or the real cost at which cars would be sold to consumers.

(4) Emission control devices currently receiving most attention by American manufacturers might result in less efficient use of gasoline and some reduction in performance over current models. One study of catalytic converters discussed at the hearing, however, had indicated no substantial reductions in performance or fuel mileage.

(5) The Ford Motor Co. announced in May that it had performed unauthorized maintenance in testing of its 1972 and 1973 model year prototypes. This maintenance had not been reported to EPA with vehicle certification requests, thus violating provisions of the Clean Air Act. (As of December 1972, no civil or criminal action had been taken against the Ford Motor Co. or any Ford employees in connection with the violations of the act.)

(6) A study by the General Accounting Office, done at the request of the subcommittee, indicated that EPA procedures for overseeing certification of new motor vehicles were woefully inadequate and that, principally because of inadequate funding, the EPA test facility was only utilized to one-third of capacity. There were no in-plant inspections of manufacturers' testing activities, and only 17 EPA employees were assigned to monitor testing and certification relating to 52 auto companies and hundreds of different models of cars.

(7) The 1-year limit on vehicle certifications imposed by the Clean Air Act had been ignored by 10 auto companies with the consent of the Environmental Protection Agency.

(8) Because of the inadequacy of EPA test procedures, auto manufacturers had been able to rig their automobile emission control devices to pass the tests but at the same time fail to work under many normal driving conditions.

Resource Recovery Act Oversight

The subcommittee also held oversight hearings during the 92d Congress on implementation of the Resource Recovery Act of 1970.

A field hearing in San Diego on August 23, 1972, and other investigations by the subcommittee staff indicated that major changes in the current solid waste program appear to be necessary if the Federal programs dealing with the solid waste management problem are to have any degree of success. The hearings and investigations indicated the following:

(1) The mandate of the 1970 Resource Recovery Act that Federal policy change direction from emphasizing disposal to emphasizing re-

cycling and resource recovery has been almost entirely ignored in implementation of the act.

(2) Sites for future land disposal of solid waste are increasingly difficult to find.

(3) Current Federal policies relating to taxes, freight rates, public lands management and other economic influences strongly favor disposal after first use of raw materials rather than recycling and reuse of once-used materials.

(4) Federal regulation of products to reduce the volume of solid waste before the point of disposal is probably necessary, particularly in the area of packaging.

(5) There is significant citizen awareness of the need to engage in better solid waste management practices, but this is accompanied by frustration at limitations on the availability of recycleable and reusable products and potential markets for goods and materials which can be recycled.

Other Activities

In May and June 1971, the subcommittee held 3 days of public hearings into the possibility of economic dislocation resulting from environmental control orders. Testimony at these hearings and subsequent investigations served as the basis for amendments included in the 1972 economic development legislation. These amendments were intended to protect employees who might lose jobs because of environmental control orders and to require EPA investigations of plant closures justified because of environmental control orders to determine if environmental matters were being used to disguise other reasons for a plant closing.

The 1972 economic development legislation was vetoed in part because of inclusion of these provisions.

New developments in cleaning up automobile exhaust, including alternatives to the internal combustion engine, and their potential impact in meeting standards prescribed by the Clean Air Act were examined at a hearing held by the Subcommittee's Panel on Environmental Science and Technology in Washington, D.C., on March 14, 1972.

The subcommittee, in conjunction with the Committee on Interior and Insular Affairs, held 4 days of oversight hearings on the impact of the National Environmental Policy Act beginning on March 1, 1972.

An oversight hearing was also held on the environmental problems of the Lake Tahoe Basin and Federal policies affecting those problems on August 21, 1972, at Lake Tahoe.

In 1973 the Subcommittee on Air and Water Pollution will continue its expanded oversight activities with regard to ongoing programs. It will also be necessary to authorize and extend both the Clean Air Act and the Resource Recovery Act, as funding authorizations for these programs will expire June 30, 1973.

CHAPTER III

HIGHWAY LEGISLATION

Most Federal-aid highway programs normally have been authorized on a biennial basis. The last general act was adopted in 1970. In view of long-established legislative patterns, the 92d Congress was scheduled to enact authorizations for the 1973 and 1974 fiscal years.

During 1972 both the Senate and the House of Representatives held hearings on and passed separate versions of a Federal-aid highway bill, but it failed to become law. On October 18 conferees from the two Houses reached agreement on a report which, while including many features of both bills, would have extended programs for only 1 fiscal year. Although this report was approved by the Senate, acceptance was not secured in the House before adjournment sine die.

Legislative matters involving highways are handled in the first instance by the Subcommittee on Roads. During 1971 this subcommittee was engaged primarily in reviewing the implementation and effectiveness of existing statutes and evaluating needs. Its members also began consideration of proposals to alter the width of buses permitted to operate on the Interstate System, and research was started on data needed for future highway legislation. Staff members participated in numerous briefings with officials of the Federal Highway Administration and held several conferences with representatives of the House Committee on Public Works and of various concerned organizations and groups.

Oversight hearings on the highway safety program were held on May 10 to 14, 1971. Testimony was received from more than 50 witnesses representing Federal, State, and local government as well as private associations and organizations. Statements and material were submitted for the record by another 25 persons. Among the items considered by the subcommittee in its examination of the program were the recommendations of the President's Task Force on Highway Safety, the operation of uniform highway safety standards, the implementation of highway safety sections of the Federal-Aid Highway Act of 1970, the sufficiency of Federal financial assistance to help combat traffic accidents, the role of alcohol in highway accidents and the value of spot improvement and traffic operations program to improve capacity and safety—TOPICS—programs.

On December 13 and 14, 1971, and on February 14, 1972, the subcommittee held hearings on H.R. 4354, as passed by the House of Representatives. This proposal would have authorized States to permit buses not more than 102 inches wide to operate on segments of the Interstate System within their borders. Such operation is now legal in nine States under a grandfather clause in the Federal-Aid High-

way Act of 1956. Other States have adopted similar legislation which would have become effective if H.R. 4354 had become law.

Eleven witnesses, both favoring and opposing the bill, were heard at the December hearings. At the February 14 hearing nine others testified, including representatives of the Department of Transportation, Federal Highway Administration, National Transportation Safety Board, National Highway Traffic Safety Administration, and the New York Thruway Authority.

On the recommendation of the Secretary of Transportation and the Federal Highway Administrator, action on this measure was postponed until results are available from extensive research being conducted under departmental sponsorship on possible traffic hazards caused by wider vehicles.

During 1972 the subcommittee devoted most of its efforts to the analysis of data and the preparation of legislation necessary to continue biennial authorizations for the various Federal-aid highway and traffic safety programs. Numerous bills introduced by members and suggestions made by the administration and other groups for extension and revision of these programs were considered and acted upon by the subcommittee.

From May 10 through June 15 the subcommittee held 8 days of hearings on 20 bills, one concurrent resolution and two amendments relating to Federal-aid highway programs which had been introduced in the Senate. Seventy-four witnesses appeared in person and 52 others submitted material and documents for the hearing record.

Included among the officials who testified were five U.S. Senators, three U.S. Representatives, the Secretary and Under Secretary of Transportation, an Assistant Secretary of the Interior, the Federal Highway Administrator and the Deputy Administrator, the Urban Mass Transportation Administrator, the National Highway Traffic Safety Administrator, one State and one Territorial Governor, a State representative, the chairman and the executive director of a State highway commission, the mayors of two cities, a municipal transportation administrator, a city planning director, and a county public works director and a county engineer.

The following organizations and associations were also represented by one or more witnesses before the subcommittee: American Association of State Highway Officials; National Catholic Rural Life Conference; American Road Builders Association; National Safety Council; The Asphalt Institute; Sierra Club; American Automobile Association; Associated General Contractors; Highway Users Federation for Safety and Mobility; American Institute of Planners; American Society of Civil Engineers; National Association of Motorbus Owners; Highway Action Coalition, National Limestone Institute; United Auto Workers; Environmental Policy Center; American Institute of Architects; National League of Cities; U.S. Conference of Mayors; Association of American Railroads; National Association of County Engineers; National Welfare Rights Organization; and the Automobile Manufacturers Association.

The subcommittee examined a wide variety of issues raised in these measures or propounded by witnesses. Two bills introduced by Senator Cooper, S. 3590 (to authorize appropriations for the construction

of highways and mass transportation) and S. 3589 (to amend the Highway Safety Act of 1960), incorporated many recommendations made by the administration. Several other bills proposed major program changes including S. 2440 (to authorize the construction of exclusive or preferential bicycle lanes), S. 2719 (to improve highway safety programs with respect to the prevention of accidents resulting from the excessive use of alcohol), S. 3037 (to authorize funds for urban public transportation), S. 3266 (to authorize reimbursement for future construction of toll roads), S. 3405 (to establish a national scenic and recreational highway program), and S. 3701 (to extend and improve the Federal highway safety program). Bills more limited in scope or applicable only to particular areas or projects included S. 1634, S. 1959, S. 2119, S. 2360, S. 2633, S. 2733, S. 2852, S. 3052, S. 3242, S. 3581, S. 3582, and Senate Concurrent Resolution 28.

Because of the widely recognized need to relieve traffic congestion and to improve transportation in larger urban areas, both the Subcommittee and the Committee on Public Works devoted considerable time to exploring avenues of assistance for these problems. Likewise, such important questions as highway safety, highway beautification, completion of the Interstate System, transfer of disputed mileage, availability of urban system funds, public participation in policy determinations, realinement of Federal-aid systems, reimbursement for toll roads, parkway construction, and reduction of administrative delays received careful attention. After evaluating all proposals in a series of executive sessions, a clean bill was formulated by the subcommittee, recommended to the Committee on Public Works, and approved by the latter with certain modifications and additions.

On August 18 the committee reported out S. 3939, the Federal-aid Highway Act of 1972. As noted in its report (No. 92–1081), this bill represented a significant broadening of the basic 50-year-old Federal assistance program and proposed innovations designed to provide greater flexibility, more public participation and less delay in the administration and supervision of highway planning and construction.

It would have authorized for the first time such new features as the purchase of buses from urban and secondary system funds, a small urban highway system, the privilege of transferring urban interstate segments elsewhere on a dollar rather than a mileage basis, reimbursement from future primary apportionments for new toll roads, funds for the construction of bicycle paths, pedestrian walkways, and equestrian trials, a "pass through" of urban system funds to urbanized areas in which metropolitanwide transportation agencies had been established, a special urban high density traffic program, and an optional alternative Federal-aid highway procedure for reducing "red-tape." Other significant features of S. 3939 would have required a realinement of Federal-aid highway systems, revised the control of outdoor advertising and junkyard provisions of the Highway Beautification Act, extended the economic growth center highway program, directed feasibility studies for several proposed interstate routes, ordered a study of laws and regulations governing toll bridges, and extended the life of the Highway Beautification Commission for 1 year.

In recognition of changing needs the annual authorization level for the Interstate System would have been reduced $750 million, but funds

for primary, secondary and urban system roads would have been greatly increased. Moreover, total authorizations for highway safety purposes, including the improvement and removal of railroad grade crossings, elimination of high hazard road locations, and replacement of deficient bridges, would have been more than trebled to a total of approximately $1 billion. Additional traffic safety sections would have required more effective penalties for driving while intoxicated, mandated compliance with alcohol safety standards, authorized sizable incentive grants to States achieving either above average or significant improvement in carrying out highway safety programs, made Indian reservations eligible for highway safety funds, provided grants for emergency medical care of accident victims, and established a pavement-marking research and demonstration program.

On September 7 the Committee on Banking, Housing and Urban Affairs, because of its primary jurisdiction over urban transportation affairs, held a hearing on S. 3939, which had been referred to it for review and comment. In accordance with testimony received at that hearing, that committee recommended that Federal-aid urban system highway funds should be made available for rail and subway transit capital expenditures as well as for the purchase of buses. It also proposed a new title III to the bill which would have authorized $3 billion in contract authority and $800 million for operating expenses from general funds to be administered by the Urban Mass Transportation Administration.

The Senate approved adding title III to the bill on September 13. An amendment (Cooper-Muskie) permitting the optional use of urban system funds for the construction of fixed rail facilities and the purchase of rail passenger equipment for public mass transportation was adopted on September 19. Aside from minor technical changes, the only other significant amendments made to S. 3939 by the Senate provided for access highways to public recreation areas on Federal lakes, required Federal-aid highway projects to be integrated with overall State transportation plans, and authorized an additional railroad relocation demonstration project. Final passage of the bill on September 19 was by a vote of 77–0.

After the House of Representatives passed its version of the Federal-aid Highway Act of 1972 (H.R. 16656) on October 5 and substituted the text of this bill for that of S. 3939, conferees for the Senate and the House met for about 40 hours during five lengthy sessions before agreeing on a conference report. While merging many provisions of both bills, the latter would have authorized a 1-year rather than the traditional 2-year extension of the Federal-aid highway systems, would not have permitted any of the Highway Trust Fund to be used for mass transportation purposes, would have greatly expanded many aspects of the highway safety program, and would have included the proposed title III financing for the Urban Mass Transportation Administration with somewhat lower authorizations for operating expenditures. Although the conference report was agreed to by the Senate on October 18, adoption could not be secured in the House of Representatives before sine die adjournment that same day and the bill did not become law.

Failure of the 92d Congress to enact a Federal-aid highway law could cause unfortunate delays in funding essential programs. Preliminary surveys indicate that a number of States either will have committed all of their obligation authority or may have to curtail plans for many projects before the end of the current fiscal year. To avoid or minimize serious disruptions throughout the country, it is important that a new act authorizing assistance for the next biennium be adopted as soon as possible.

The committee intends to give prompt consideration to bills proposing continuation of Federal-aid highway legislation and to seek early passage by the Senate of an act for that purpose. Recent completion of extensive hearings and approval by the Senate of a broadly based highway bill, should help to reduce the normal time required for this legislation. The committee also plans to review during the next Congress many fundamental aspects of the Federal-aid highway programs, especially their relationship to other modes of transportation, and to continue its oversight inquiries on traffic safety.

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CHAPTER IV

ECONOMIC DEVELOPMENT LEGISLATION

The importance of public facilities and institutions in providing the needed infrastructure to attain and maintain viable economic and social entities has long been recognized. The Committee on Public Works has provided the legislative basis for the national effort to help provide this foundation to those areas that, as the result of unusual circumstances, find themselves in need of external assistance. Legislation addressed specifically to this effort include the Appalachian Regional Development Act and the Public Works and Economic Development Act; the latter dealing with the activities of the Economic Development Administration and seven Regional Action Planning Commissions: Coastal Plains, Four Corners, New England, Ozarks, Upper Great Lakes, Old West, and Pacific Northwest.

The Subcommittee on Economic Development is responsible for these two acts and for the programs they authorize; and it must insure that this national effort meets the intended objective of bolstering the socioeconomic status of the Nation's less fortunate areas. Public hearings and consultation with concerned and informed persons provide the subcommittee with information concerning existing programs, problems that must be solved, and methods by which they might be solved.

Testimony and information is received from officials at all levels of government, from professionals and professional groups concerned with regional planning and development, and from private citizens concerned with the well-being of their community. This information serves as the basis for legislation designed to provide the institutions that will allow for the optimal utilization of the diverse human and physical resources expended in the development process. In turn, the objective of the development process is to provide adequate public facilities and to insure equal economic opportunity for every citizen.

Programs initiated by these two acts have provided 7 years of valuable experience in the national effort to raise incomes and solve the problems of structural unemployment. This experience, plus the challenges brought on by changing times, suggest the need for new approaches to the development process, approaches that recognize more fully the interrelationships between economic activity and environmental quality, and that encourage a greater interaction and awareness among and therefore greater efficiency within our social institutions—both public and private.

Legislation enacted during the 92d Congress sought to strengthen existing national programs of community and regional economic development. Legislation during the second session of Congress proposed programs that would confront a broader spectrum of interrelated

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problems in a more integrated fashion. A more rational approach to development is imperative if the Nation is to provide adequate economic opportunity, needed public services and facilities, and at the same time conserve its natural wealth.

Appalachia

APPALACHIAN REGIONAL DEVELOPMENT

At the time of passage, the area covered under the Appalachian Regional Development Act of 1965 was experiencing severe economic hardship. Though its population comprised only 8.5 percent of the Nation's population, it received almost 12 percent of Federal public welfare assistance. Its share of total Federal expenditures, however, funds needed to stimulate and generate economic activity, was less than 5 percent. Public facilities such as schools, highways, hospitals, and water and sewage systems were not adequate for even the elemental needs of the people, much less to support an expanding economy.

The purpose of the act was to bring the Appalachian region and its people up to the same economic level as the rest of the United States. The program would be carried out within a Federal, State, and local partnership, coordinating efforts to meet the common goal.

During the 92d Congress, legislation (S. 575) was introduced providing for a 5-year extension of the Appalachian highway program and a 4-year extension for the other Appalachian programs. Hearings were held on February 8, 9, and 10, 1971 in order to review the Appalachian programs and determine how they had worked and how they might be improved. The applicability of these programs to other parts of the country was also considered.

On March 2, 1971, a hearing was held to consider aviation potential in the region and the prerequisite need for safety improvements. Also considered was S. 744, to allow 100 percent Federal funding for improvements the Federal Aviation Administration determined necessary to enhance airport safety. The bill, S. 575, with the "Appalachian Airport Safety Improvements" amendment was passed by the Senate on March 11, 1971. In addition, a floor amendment extended the provisions of the Public Works and Economic Development Act of 1965 for an additional year.

Title I of S. 575 as passed by the House of Representatives contained authority to reactivate the Public Works Acceleration Act of 1962. The Senate subcommittee held hearings on May 12, 1971 to consider this amendment and possible alternatives. A bill, including the accelerated public works title, was passed by Congress but then vetoed by the President. A subsequent bill excluding this title (S. 2317) was then passed into law on August 5, 1971 (Public Law 92–65).

APPALACHIAN DEVELOPMENT IN REVIEW

By 1971, the Appalachian program had produced a record of solid achievements, although the successes were not always as great as hoped. Appalachia was the only region in the country with a full complement of local regional planning and development organizations. As the re-

sult of this experiment, incomes had increased, the number of jobs had grown, outmigration had slowed, and health and educational levels had improved.

Unemployment had gone from 8.2 percent in 1962 to 3.9 percent by fiscal year 1970, and has remained at the national level since. Jobs were increasing at a faster rate than they were nationally. Incomes were now growing at about the same rate as in the rest of America. Per capita income, for example, had risen from 77.6 percent of the national level in 1962 to 81.5 percent in 1970. Between 1950 and 1960, 2.2 million persons moved out of the region. Between 1960 and 1970, outmigration slowed to 1.1 million persons, with 650,000 leaving between 1960–65, but only 453,000 moving out between 1965–70.

The Appalachian developmental highway program had provided new and improved access to areas that would become sites for industrial growth, having completed 488 miles of highway network and started an additional 368 miles. Over a million persons had been aided by the Appalachian health program. The program had helped develop 310 vocational and technical centers, meeting 40 percent of the region's needs. The rate of increase in vocational and technical enrollment had been two to three times that of the Nation.

Damage caused in the past by coal mining was being repaired under the Appalachian program. Mines were filled to avoid potential caveins, and strip mined lands were being reclaimed. Finally and possibly the most significantly, the Appalachian experiment had created a new working partnership among all levels of government, improving the development efforts of government as a whole.

APPALACHIAN REGIONAL DEVELOPMENT ACT AMENDMENTS OF 1971

Upon review of the Appalachian program, the committee concluded that this experiment in intergovernmental cooperation should be continued. The bill reported by the committee on March 9, 1971 provided, therefore, that the general program portions of the Appalachian regional development program be extended an additional 4 years to fiscal year 1975 and that the highway program be extended an additional 5 years to fiscal year 1978. In order to give the Commission maximum flexibility in determining priorities for investment, funds were authorized in a block for the nontransportation programs. This sum total was determined by estimating the requirements for the health, education, environmental, and housing programs as well as for the supplemental, research, demonstration, and district support programs.

An adequate transportation network is a necessary ingredient in the infrastructure of any successful economic system. The Appalachian Development System and local access roads represent the most important part of this network. In order to complete this System, additional authorizations were required. Cost increases, about 40 percent, resulted from inflation, new Federal highway safety standards, and new Federal relocation assistance requirements. An additional 10-percent increase resulted from refinements of the original engineering estimates.

The Appalachian region lies within easy flying distance of many major metropolitan areas. In order to fully develop its aviation potential, it is necessary to make existing commercial airports safe enough

to allow for expanded passenger service. Construction costs are unusually high in the region, however, and the present formula for apportioning Federal funds under the regular airport program greatly restricts the share of authorized moneys going to the region. The bill, therefore, allows the Secretary of Transportation to provide assistance to existing airports in the region, specifically to small instrument land system packages for smaller airports.

The quality of the human resource in large part determines the degree to which an economy and society can develop. Investment in the human resource, therefore, is extremely important. In order to be productive, a person must be sound of mind and body. In order to learn and grow to be a productive citizen, a child must have adequate care. Amendments to the 1965 act improve the Commission's ability to provide needed health and child care by removing unintentional barriers and ambiguities in existing law.

The Commission's ability to deal with the problems of mine drainage pollution and mine area restoration was also hindered by the interpretation and requirements of existing law. To rectify this situation the committee amended the act to allow the Secretary of the Interior to provide financial assistance for the control or abatement of mine drainage pollution and to allow the Federal Government to participate in reclamation activities and costs where land is owned by nonprofit conservation, development, or housing agencies. Reclaimed areas will be used for parks, schools, housing developments, and industrial sites.

The committee believes that adequate housing, like health and child care, is a necessary basis for proper development in Appalachia, as elsewhere. Many desirable housing projects were not started in Appalachia because the cost of site development and provision of sewage and water facilities would lead to rents and sales prices beyond the range of persons the program specifically sought to serve. To overcome this difficulty, the bill authorized the Secretary of Housing and Urban Development to make grants for site development costs and offsite improvements, such as water and sewer extensions. Such assistance will allow many communities to go ahead with housing projects that otherwise could not have been undertaken. To accelerate the funding process, the Commission was given authority to provide information, advice, and technical assistance.

As previously mentioned, investment in the human resources is extremely important, and the fact that eight out of 10 high school students will not receive college degrees makes vocational education a critical element in the development process. Unfortunately, this area of education has been greatly neglected in our country.

The Appalachian States now lead the Nation in creating the facilities needed for vocational and technical education, but several States could not proceed with construction because of the lack of operating funds. In order to meet this need, the bill authorized funds for the operation of vocational education facilities.

Vocational education programs usually require the pooling of resources across jurisdictional lines. The vehicles for this effort are school cooperatives or regional education service agencies. Since these multischool system agencies coincide with the local development districts of the Commission, the Secretary of Health, Education, and

Welfare was given the authority to make grants in order to demonstrate the value of coordinating education and economic-development planning.

A final provision in the bill allows the use of supplemental authority to be used to make basic grants when basic-grant funds are insufficient. This "first-dollar money" will insure that the flexibility now provided by the Appalachian program will be maintained and strengthened.

In summary, major provisions of the Appalachian Regional Development Act Amendments of 1971—

(1) extended the highway program for an additional 5 years and increased the authorization by $925 million;

(2) authorized the continuation of the general program portions of the Appalachian regional development program for an additional 4 years with biennial authorizations of $277 million for fiscal year 1972 and fiscal year 1973 and $294 million for fiscal year 1974 and fiscal year 1975;

(3) provided authorization to use supplemental grants as "first-dollar money" for those categorical aid programs for which sufficient grant authorizations are not available to the State;

(4) authorized an amendment to the housing program to provide additional assistance in making low- and moderate-income housing available by subsidizing basic site development costs;

(5) provided areawide education demonstration projects on the scale of existing health care demonstration projects;

(6) added a 4-year, $40 million Appalachian airport safety improvements program to permit the safety upgrading of public airports in Appalachia;

(7) permitted Appalachian funds to participate with other Federal funds in child care programs without regard to the "statewide" requirement provided in the general Federal child care program;

(8) (a) authorized acid mine drainage control projects in connection with section 205 of the Appalachian Regional Development Act of 1965 relating to mine area restoration; (b) permitted Federal participation in reasonable land acquisition costs for land reclamation projects; (c) permitted the participation of Federal funds in strip mine reclamation projects on land owned by private nonprofit groups as well as on publicly owned lands;

(9) included as eligible under the Appalachian housing program, projects constructed pursuant to section 235 of the Housing Act; and

(10) amended the vocational education provision of section 211 of the Appalachian Regional Development Act to provide operating grants to bring the benefits of the vocational education program to complete fruition.

National Regional Development

There are many regions and areas that do not share the general level of prosperity enjoyed by the Nation as a whole. The programs authorized by the Public Works and Economic Development Act are intended to stimulate recovery and encourage new development in

these less fortunate areas. These programs consist of public facility grants and loans, business loans and guarantees, and technical and long-range planning assistance.

As of 1971, there were 1,214 areas in the country that because of economic need qualified for programs administered by the Economic Development Administration. As part of its program to help these and surrounding areas, the Economic Development Administration has promoted development on a multicounty basis by establishing 108 economic development districts and 212 development centers throughout the land. In addition to these programs, the Title V—Regional Action Planning Commissions deal with development activities on a multistate basis.

Legislation extending the Appalachian program—Public Law 92–65—also extended through fiscal year 1973 the programs of the Economic Development Administration and the Regional Action Planning Commissions. The subcommittee held extensive field hearings in February, March, and April of 1971, reviewing the programs of these organizations. Hearings were held in Raleigh, N.C.; Wichita, Kans.; Memphis, Tenn.; Los Angeles, Calif.; Albuquerque, N. Mex.; Santa Fe. N. Mex.; Seattle, Wash.; and Fairbanks, Anchorage, Nome, and Bethel, Alaska. A total of 231 witnesses appeared before the subcommittee during 15 days of hearings.

As a result of these hearings, a bill—S. 3381—was subsequently introduced on March 21, 1972, to establish a national development program through planned public works investment. Hearings on S. 3381 were held in Washington, D.C., on April 18, 19, 20, 25, 26, and 27, 1972, with testimony from 38 witnesses. These hearings demonstrated a need for additional investigation of this subject. Work has continued, and new legislation will be proposed to the 93d Congress.

As mentioned previously, a floor amendment to S. 575 extended the provisions of the Public Works and Economic Development Act of 1965 for an additional year. The House of Representatives amendment to extend these programs for 2 years was then agreed to in conference. S. 575 was vetoed by the President; but S. 2317, which included the 2-year extension, was passed into law (Public Law 92–65).

Excluded from Public Law 92–65 was the authority to reactivate the public works acceleration program. The purpose of accelerated public works programs is to provide needed jobs in the short run. Testimony at the field hearings, particularly in Seattle and Los Angeles, suggested the need for additional assistance to areas suffering from severe unemployment. On August 2, 1971, therefore, a bill—S. 2393—was introduced amending the Disaster Relief Act of 1970 by broadening the definition of a "major disaster" to include areas with an unemployment rate 50 percent above the national average for 6 of the preceding 12 months or with a 100-percent increase over 12 months to a rate higher than 6 percent.

At the request of the Governor of a State, the President would declare the existence of a disaster. Individuals in the disaster area would then be eligible for relief measures, including temporary housing, mortgage or rent payments up to a year, food stamps and surplus commodities, extended unemployment compensation, medical services, and relocation assistance. Incorporated in S. 2393 were provisions in

Senate bills S. 2278, S. 1779, and S. 1832. The bill passed the Senate with amendments on August 5, 1971 and was referred to the House Public Works Committee on August 6, 1971.

Prior to adjournment, the House Committee on Public Works passed legislation—H.R. 16071—to extend the economic programs of the Economic Development Administration and the title V regional commissions for an additional year, to fiscal year 1974. Additional provisions in the bill would have separated short-term emergency assistance and funding—accelerated public works—from long-term economic development programs; authorized additional funding to title V regional commissions; provided administrative and planning grants to development districts; and provided assistance to persons and firms suffering economic hardship as the result of Federal environmental legislation. Both Houses of Congress passed H.R. 16071 on October 14. 1972; but the bill was vetoed following congressional adjournment.

Program Review

Programs authorized under the Public Works and Economic Development Act provide Federal assistance and encourage private investment in communities with excessive unemployment or underemployment. Financial and technical assistance is provided in order to create new jobs, with the emphasis placed on long-range planning to achieve stable and self-sustaining economic growth. At the beginning of the 92d Congress and prior to the 1971 extension of these programs, the Economic Development Administration had, over its 5-year history, approved close to 2,000 public works projects. Construction had been completed on over half of those projects. The Assistant Secretary for Economic Development, Department of Commerce, estimated that approximately 22,000 construction workers had during December of 1970 received some or all of their pay from direct employment on these projects.

In addition to the grant program for public facilities, the Economic Development Administration through its Office of Business Development had, since September 1965, approved 254 loans for a total obligation of $237.6 million and had guaranteed working capital loans made by private lending institutions totaling $24.1 million. The Economic Development Administration had also approved a total of 1,233 technical assistance grants at a total cost of $57.5 million. This assistance consisted of operational assistance for individual projects, planning assistance for both projects and areas, and funds for demonstration projects.

Five regional action planning commissions had been designated and organized. Originally chartered as planning agencies, subsequent legislation had given them basic and supplemental grant authority, required formulation of a comprehensive long-range economic development plan, and granted authority to engage in demonstration projects. As of 1971, the commissions had utilized their supplemental program to participate in nearly 350 projects such as vocational educational facilities, water and sewer facilities, access roads, and other transportation facilities. The cost of these programs was about $250 million, with commission contributions just under $38 million.

Each commission had completed initial long-range development plans and had proceeded to improve them. To date, four plans have received final approval by the President and one, that of New England, is expected to receive final approval shortly. It is anticipated that these "final" plans will be adjusted as changing circumstances require.

Public Works and Economic Development Act Amendments of 1971

The experiences, both successes and shortcomings, of the programs initiated by the Public Works and Economic Development Act make it evident to the committee that new legislation in the development field is required, legislation that recognizes more fully the interdependencies of social institutions and economic activities and the interrelationship of economic activity and our physical environment. The commttee feels that a more rational and coordinated approach to public investment, of which public works is a major element, is now needed.

The Subcommittee on Economic Development, under the chairmanship of Senator Joseph Montoya, held hearings in the field and in Washington to determine the causes of low income and unemployment within certain areas of the country, to review past efforts to combat these problems, and to discover new methods for correcting these social ills. Investigation and study of the methods to achieve proper development at the regional level have continued, and new legislation will be proposed to the 93d Congress.

The committee believes that current efforts to assist economically distressed areas should not be abandoned in the interim. Programs, despite the burden of insufficent appropriations, have demonstrated the ability of State and Federal Governments to cooperate in lending much-needed assistance to lagging communities and regions. For this reason, the committee supported legislation to extend for 2 years through fiscal year 1973 the activities of the Economic Development Administration and the regional commissions (Public Law 92–65). It also supported legislation presented toward the end of the second session to extend these programs for an additional year (H.R. 16071). This bill was vetoed by the President, however.

Important amendments to the Public Works and Economic Development Act provide special assistance to areas, such as Seattle, Wash., and parts of Los Angeles, suffering from severe unemployment. Authorizations under title I for public works grants were increased from $500 million to $800 million with the stipulation that at least 25 percent of the funds appropriated be expended in newly defined redevelopment areas in order to provide immediate and useful work.

These new redevelopment areas can include communities or neighborhoods suffering from an actual or threatened abrupt rise in unemployment due to the closing or curtailment of a major source of employment, rural areas having substantial outmigration, and areas with large concentrations of low-income persons or substantial unemployment, without regard to political boundaries. The requirement for an overall economic development program does not apply in these special areas because the objective is to provide immediate work to unemployed and underemployed persons.

The Federal contribution for public works projects in these areas can be 100 percent as opposed to the required maximum of 80 percent.

Also, the Secretary of Commerce can reduce the non-Federal share below 20 percent in any other redevelopment area if he finds that the State or political subdivision in question has exhausted its effective taxing and borrowing capacity.

The Economic Development Administration was given greater authority to deal with the long-term problems of regional development by amendments modifying and expanding the criteria used to designate redevelopment areas. The maximum median family income under which an area can qualify, for example, was raised from 40 to 50 percent of the national median. Studies indicate that there is a close relationship between income levels and outmigration. Raising the income cutoff level allows the Economic Development Administration to deal with more areas experiencing severe outmigration problems.

A new criterion would allow areas experiencing significant declines over a 10-year period in per capita employment to become eligible for financial assistance as redevelopment areas. Unemployment rates had been the only statistic used to identify structurally declining areas. Unemployment rates alone are unsatisfactory measures of this condition, for economic decline often occurs relatively slowly, particularly in rural areas.

Finally, the act is amended to provide that once designated, an area will be eligible for assistance for no less than 3 years. This provision avoids the problems resulting from year-to-year shifts in unemployment rates that may be either temporary in nature or the result of statistical aberrations.

In summary, major provisions of the Economic Development Act Amendments of 1971—

(1) extended programs of the Economic Development Administration and of the Regional Action Planning Commissions through fiscal year 1973, with the Commissions receiving a 2-year authorization of $305 million;

(2) authorized $800 million per year for public works grants under title I, with no less than 25 percent of appropriated funds going to new redevelopment areas designated under section 401(a)(6);

(3) waived the non-Federal share of project costs in "401(a)(6)" areas and in areas that have exhausted their effective taxing and borrowing capacity;

(4) modified the criterion for qualifying as a redevelopment area from 40 percent of national median income to 50 percent;

(5) added a per capita employment criterion for qualifying as a redevelopment area;

(6) required that redesignation as a redevelopment area not occur prior to the third year after designation;

(7) authorized $500,000 for the Federal Field Committee for Development Planning in Alaska;

(8) extended the moratorium on redesignation of redevelopment areas to June 1, 1972; and

(9) required that no person be excluded from participation in or be denied the benefits of any program authorized under the act on the ground of sex.

CHAPTER V

BUILDINGS AND GROUNDS LEGISLATION

The Committee on Public Works is responsible for legislation to provide adequate and proper housing for the various agencies of the Federal Government. In addition to providing for the construction and acquisition of buildings such as Federal office buildings, court houses, customhouses, records storage facilities, warehouses, border station facilities, garage space, and special-purpose structures, the committee is also responsible for matters dealing with the construction, alteration, care, and maintenance of buildings and grounds for the Botanic Garden, Library of Congress, Smithsonian Institution, National Gallery of Art, Senate Office Buildings, and the Capitol.

The committee's responsibility for the construction and leasing of post office facilities has been gradually phased out since reorganization of the Postal Service, pursuant to the Post Office Reorganization and Salary Adjustment Act of 1970 (Public Law 91–373). Except in instances where Federal office buildings may house minor postal facilities for convenience or other reasons, no prospectuses for Postal Service buildings were submitted to the committee during the second session of the 92d Congress.

The Public Buildings Act of 1959, as amended (73 Stat. 747), vested authority and responsibility in the Administrator of the General Services Administration for acquiring, altering, repairing, remodeling, improving, and extending public buildings, and acquiring the necessary sites and additions to sites in connection therewith. This act, as amended, establishes a logical method for expediting the authorization of public building projects throughout the country and its possessions. Approval by resolutions of the Committees on Public Works of the Senate and the House of Representatives is required for construction or acquisition of any building involving an expenditure in excess of $500,000, or alterations exceeding $500,000 in cost. In order to obtain such authorization or approval, the Administrator of the General Services Administration is required to submit a comprehensive prospectus to the Congress, outlining all details of the proposed project, and accompanied by an acceptable environmental impact statement. During the 92d Congress the committee approved prospectuses for 61 public building projects having an estimated cost of approximately $812,112,044.

Either committee may rescind, by resolution, its approval of any project for construction, alteration, or acquisition for which an appropriation has not been made within 1 year after the date of approval.

The committee, during the 92d Congress, considered numerous legislative proposals concerning the foregoing areas, details of which are outlined herein.

PUBLIC BUILDINGS ACT OF 1972

(Public Law 92–313)

On June 16, 1972, President Nixon signed Public Law 92–313, amending the Public Buildings Act of 1959, as amended, by increasing the cost level at which congressional approval of prospectuses is required from $100,000 to $500,000, and the level of required approval for building alterations from $200,000 to $500,000. It enlarges the definition of public buildings to include Federal parking facilities and other structures. It amends subsection (f) of section 210 of the Federal Property and Administrative Services Act of 1949, as amended, to authorize the establishment, by the Secretary of the Treasury, of a Federal buildings fund into which will be incorporated certain other funds now within the General Services Administration, and into which can further be credited other payments, including rental equivalents for Government-owned or leased space. The act also authorizes the acquisition of public buildings through implementation of a long-term lease-construction procedure, when determined advantageous to the Government by the Administrator of the General Services Administration, in lieu of direct construction by the Government. Further, it authorizes the Administrator of the General Services Administration to charge Federal agencies and others for space, and fees for parking, at a rate commensurate with those prevailing for comparable privately owned space. It also authorizes funds for the operation and maintenance of the nonperforming art functions of the Kennedy Center in the District of Columbia.

During recent years, fiscal conditions and steadily increasing construction costs have made it exceedingly difficult to sustain a timely and efficient Federal building program. As a result, the General Services Administration frequently has been unable to fulfill the space demands of Federal agencies. Until recently a backlog of 63 much-needed public buildings existed, authorized but not funded or constructed, although sites were acquired and architectural designs had been completed. Delays attributable to required congressional action, escalating costs necessitating additional requests and authorizations for increased amounts, and limitations on appropriations imposed by budgetary restrictions, have all contributed to perpetuate these circumstances. Provisions of Public Law 92–313 have served to alleviate the problem through establishment of the referenced revolving fund and the implementation of lease contract procedures, with the result that several of the backlog projects already are under construction or have been advertised for bid.

On September 28, 1971 the Subcommittee on Buildings and Grounds of the Committee on Public Works conducted a hearing on this legislation. Witnesses who testified at that time were: Robert L. Kunzig, Administrator of the General Services Administration; Gregory J. Ahart, Deputy Director of the Civil Division, U.S. General Accounting Office; William Marshall, Jr., vice president of the American Institute of Architects; and Harold G. Tufty, representing the American Society of Value Engineers. All witnesses recommended the enactment of this legislation.

DWIGHT D. EISENHOWER MEMORIAL BICENTENNIAL CIVIC CENTER ACT

(Public Law 92–520)

On October 21, 1972, the President signed Public Law 92–520, amending the Public Buildings Act of 1959, as amended, to authorize the construction of a civic center in the District of Columbia, to be designated the Dwight D. Eisenhower Memorial Bicentennial Civic Center, and for other purposes.

This act authorizes the Commissioner of the District of Columbia to acquire by purchase, gift, condemnation, or otherwise, all real property necessary to provide for the Civic Center. Also, it authorizes the Commissioner to enter into purchase contracts, including negotiated contracts, for the financing, design, construction, operation, and maintenance of the Civic Center. It further authorizes the appropriation of a sum not to exceed $14 million as the Federal share of the total cost.

The Washington metropolitan area, with a population of 2.9 million, is the Nation's seventh largest and fastest growing major metropolis. The main industry in the District of Columbia, after Federal Government activities, is tourism, but the city of Washington currently lacks a modern convention center. As a result, large conventions, exhibitions, and trade shows of American industry, commerce, education, and religion cannot be held in the Nation's Capital. The proposed Center would remedy this deficiency and would be a source for new jobs and a stimulus for other business in the city, such as hotels and restaurant operations. In addition, it will be a key element in the revitalization of the downtown area.

The purchase-contract method of financing the facility, as authorized is comparable to amendments to the Public Buildings Act of 1959, as amended, provided for in Public Law 92–313.

The authorization of $14,000,000 as a contribution to the District of Columbia, representing the Federal share of carrying out the purposes of this act, is essential to ease the city's financial burden during the first few years of the Center's operation. It is anticipated that 4 or 5 years will be necessary for the Center to reach full operations after it is completed. Until these are underway, operating costs are expected to slightly exceed revenues.

Hearings were conducted jointly by the Subcommittees on Public Buildings and Grounds of the Senate and House, Committees on Public Works, on August 9, 1972, subsequent to previous hearings, conducted by the House subcommittee in February 1971. In addition, during executive sessions of the Senate and House subcommittees, testimony was submitted by the mayor and chairman of the city council of the District of Columbia, representatives of the National Capital Planning Commission, the Redevelopment Land Agency, and other responsible officials, whose active participation in development of this facility is essential.

Public Law 92–520 also authorizes that the Federal Office Building and Court House in Atlanta, Ga., be designated the "Richard B. Russell Federal Building"; that the Federal building proposed in Hattiesburg, Miss., be designated the "William M. Colmer Federal Building";

that the Federal building proposed in Aberdeen, Miss., be designated the "Thomas G. Abernethy Federal Building"; that the FBI Building in Washington, D.C., be redesignated the "J. Edgar Hoover FBI Building"; that the Federal building under construction in Frankfort, Ky., be designated the "John C. Watts Building"; that the Federal building in Canton, Ohio, be designated the "Frank T. Bow Federal Building"; that the Jet Propulsion Laboratory in Pasadena, Calif., be designated the "H. Allen Smith Jet Propulsion Laboratory"; that the Federal building in Oakland, Calif., be designated the "George P. Miller Federal Building"; that the Federal building in Joplin, Mo., be designated the "Durward G. Hall Federal Building"; that the Federal building in Brooklyn, N.Y., be designated the "Emanuel Celler Federal Building"; that the Federal building in Charlotte, N.C., be designated the "Charles R. Jonas Federal Building"; that the Federal building in Wilmington, N.C., be designated as the "Alton Lennon Federal Building"; that the Federal building under construction in Mansfield, Ohio, be designated the "Jackson E. Betts Federal Building"; that the Federal building in St. Joseph, Mo., be designated the "William R. Hull Federal Building"; that the Federal building to be constructed in Baltimore, Md., be designated the "Edward A. Garmatz Federal Building"; that the Federal building to be constructed in New Bedford, Mass., be designated "Hastings Keith Federal Building"; that the Federal building in Tulsa, Okla., be designated the "Page Belcher Federal Building"; that the Federal building in Farmville, Va., be designated the "Watkins M. Abbitt Federal Building"; that the Federal building to be constructed in Roanoke, Va., be designated the "Richard H. Poff Federal Building"; that the Federal building, Essex Junction, Vt., be designated the "Winston Prouty Federal Building"; that the Earth Resources Observation System Facilities Development Foundation, in Sioux Falls, S. Dak., be designated the "Karl E. Mundt Federal Building"; that the Department of Health, Education, and Welfare, South Building located in Washington, D.C., be designated the "Mary Switzer Memorial Building"; that the Federal office building to be constructed in Fitchburg, Mass., be designated the "Philip J. Philbin Federal Office Building"; that the Federal office building to be constructed in Houma, La., be designated the "Allen J. Ellender Post Office and Federal Office Building"; that the Federal building in Charleston, S.C., be designated the "L. Mendel Rivers Federal Building"; that the Federal building in Opelika, Ala., be designated the "George W. Andrews Federal Building"; that the Federal building to be constructed in Florence, S.C., be designated the "John L. McMillan Federal Building"; that the Federal building in Grant Junction, Colo., be designated the "Wayne N. Aspinall Federal Building"; that the Federal building in Wilkesboro, N.C., be designated the "Johnson J. Hayes Building"; that the Federal building to be constructed in Honolulu, Hawaii, be designated as the "Prince Jonah Kuhio Kalanianaole Building"; that the Federal building to be constructed in Albany, N.Y., be designated the "Leo W. O'Brien Federal Building"; that the Federal building on Market Street, in Philadelphia, Pa., be designated the "William J. Green, Jr., Federal Building"; that the United States courthouse to be constructed in Philadelphia, Pa., be designated the "James A. Byrne Federal Court-

house"; that the Federal building in Cleveland, Ohio, be designated the "Anthony J. Celebrezze Federal Building"; that the Post Office and Federal building in Green Bay, Wis., be designated the "John W. Byrnes Post Office and Federal Building"; and that the effective period for each provision relating to the Speaker of the House of Representatives in the 91st Congress which is contained in House Resolution 1238 91st Congress, as enacted to permanent law by chapter VIII of the Supplemental Appropriations Act, 1971 (84 Stat. 1989), be extended for an additional 2 years from the date on which such provision would otherwise expire.

The following bill was passed by the Senate and was pending before the House Public Works Committee when Congress adjourned on October 18, 1972:

S. 3917, the United States Senate Office Building, Land Acquisition, and Parking Facilities Planning Act of 1972, authorized construction required to complete the New Senate Office Building, on the east half of square 725 in the District of Columbia. It further authorized acquisition of all remaining properties in square 724, not already Government owned, and all in square 764 in the District of Columbia, as an addition to the U.S. Capitol Grounds and for other purposes. It further authorized the Architect of the Capitol to initiate and conduct a study of alternate designs for a vehicle parking garage with limited commercial facilities, to be constructed on square 724, and an architectural design competition to be conducted in connection therewith. S. 3917 also authorized the appropriation of such sums as may be necessary to carry out provisions of the act.

RESOLUTIONS APPROVING PROJECTS UNDER THE PUBLIC BUILDINGS ACT OF 1959

Public Law 92–249

Location and project	Estimated cost	Date approved
Alabama:		
Birmingham—Federal office building	[1] $3,120,000	July 29, 1971.
Alaska:		
Anchorage—Federal office building, courthouse, and post office	[1] 71,496,000	Sept. 21, 1972.
Arizona:		
Nogales—Border station facility	2,929,000	July 8, 1971.
Lukeville—Border station facility	1,786,000	May 22, 1972.
California:		
Van Nuys—Federal office building	10,090,700	Do.
District of Columbia:		
Tax court building	19,162,000	June 22, 1971.
Federal office building (Portal)	45,119,800	July 8, 1971.
Department of labor building	91,554,000	Do.
Treasury building	12,652,200	Oct. 21, 1971.
Commerce building	5,171,000	Do.
Interior building	2,841,000	Do.
Justice building	15,148,000	Do.
Agriculture building	2,974,000	May 22, 1972.
Georgia:		
Augusta:		
Federal office building	5,854,000	July 8, 1971.
Courthouse	803,000	Do.
Athens—Federal office building	4,602,000	May 22, 1972.
Hawaii:		
Honolulu—Federal office building and courthouse	47,541,600	Do.
Illinois:		
Springfield—Courthouse and post office	292,100	Oct. 21, 1971.
Chicago—Federal office building	81,526,000	May 22, 1972.
Iowa:		
West Branch—Hoover Library	436,000	Oct. 21, 1971.
Kansas:		
Abilene—Eisenhower Library	918,000	Do.

RESOLUTIONS APPROVING PROJECTS UNDER THE PUBLIC BUILDINGS ACT OF 1959—Continued

Public Law 86-249

Location and project	Estimated cost	Date approved
Louisiana:		
Houma—Federal office building and post office	3,877,000	July 8, 1971.
Shreveport—Office building	[1] 945,400	July 29, 1971.
Harahan—FSS and GSA building	636,000	Oct. 21, 1971.
New Orleans—Customhouse	6,341,000	May 22, 1972
Maryland:		
Suitland—Federal office building	3,667,000	Oct. 21, 1971.
Beltsville—Enforcement Training Center	52,664,000	Nov. 18, 1971.
Massachusetts:		
Boston—Customhouse	1,725,800	Oct. 21, 1971.
Lowell—Federal office building	483,000	Do.
Waltham—Federal records center	[3] 1,241,300	Do.
Fitchburg—Federal office building and post office	[1] 6,778,300	Sept. 21, 1972.
New Bedford—Federal office building	[1] 2,407,000	Do.
Missouri:		
St. Louis—Record center	1,323,000	Oct. 21, 1971.
New Hampshire:		
Manchester—Federal office building	7,843,000	Sept. 21, 1972.
New Mexico:		
Las Cruces—Federal office building and courthouse	3,815,000	July 8, 1971.
New York:		
Champlain—Border station facility	6,913,500	Do.
New York—Foley square annex	11,925,000	Do.
North Carolina:		
Winston-Salem—Federal office building and courthouse	[1] 13,792,000	Sept. 21, 1972.
Ohio:		
Mansfield—Federal office building and courthouse	8,109,000	July 8, 1971.
Cleveland—Courthouse	2,341,000	Oct. 21, 1971.
Columbus—Federal office building	[1] 16,966,000	Sept. 28, 1972.
Oklahoma:		
Oklahoma City—Federal office building	[1] 20,100,000	Sept. 21, 1972.
Pennsylvania:		
Philadelphia:		
Main building No. 1	607,600	Oct. 21, 1971.
Federal office building and courthouse	87,478,700	May 22, 1972.
Williamsport—Federal office building and courthouse	[1] 5,002,000	Sept. 21, 1972.
Texas:		
San Angelo—Federal office building, courthouse and post office	5,313,000	Apr. 29, 1971.
McAllen—Border patrol station	1,362,200	July 8, 1971.
Midland—Federal office building and post office	6,192,000	Do.
Dallas—Commerce street building	6,392,000	Oct. 21, 1971.
Laredo—Border station facility	13,857,000	May 22, 1972.
San Antonio—Federal building complex	9,433,800	Do.
Virgin Islands:		
St. Thomas—Federal office building and courthouse	[1] 5,931,000	Sept. 21, 1972.
Virginia:		
Richmond:		
Parcel post annex	507,000	Oct. 21, 1971.
Courthouse and post office	2,055,794	Do.
Roanoke—Federal office building and courthouse	[1] 12,755,000	Sept. 21, 1972.
Washington:		
Seattle—Federal office building	43,456,000	July 8, 1971.
Blaine—Border station facility	5,148,000	May 22, 1972.
Seattle—Federal center south	5,000,000	Do.
West Virginia:		
Parkersburg:		
Federal office building	[1] 1,592,500	Do.
Storage	[1] 118,750	Do.
Total	[2] 812,112,044	

[1] Purchase contract, lease, or rental.
[2] Includes amounts authorized prior to 92d Congress.
[3] Before House Public Works Committee at time of adjournment.

RESOLUTIONS APPROVING PROJECTS UNDER THE NATIONAL TRAFFIC AND MOTOR VEHICLE SAFETY ACT OF 1966

Public Law 91-265

Location	Project	Estimated cost	Date approved
Ohio: East Liberty	Transportation research center	$9,600,000	July 29, 1971.

RESOLUTIONS APPROVING RESCISSION OF PRIOR APPROVAL OF PUBLIC BUILDING PROJECTS UNDER THE PUBLIC BUILDINGS ACT OF 1959—PUBLIC LAW 249, 86TH CONGRESS

[At the request of the General Services Administration] [1]

Location	Project	Date approved	Date rescinded
Massachusetts: Cambridge	Post office and Federal office building. (Reason: Requirements satisfied by the acquisition of leased space for other agencies.)	Apr. 4, 1963	Oct. 21, 1971.
New York: Bronx	Post office and Federal office building. (Charles A. Buckley Post Office and Federal office building. Reason: U.S. Postal Service has withdrawn from proposed project.)	Aug. 20, 1963	Do.
Puerto Rico: San Juan	Federal Supply Service warehouse and interagency motor pool maintenance facility. (Reason: Space was provided in Buildings 651 and 652 at Fort Buchanan, transferred to GSA by the Navy.)	July 12, 1965	Do.
Rhode Island: Westerly	Post office and Federal office building. (Reason: U.S. Postal Service assumed responsibility for construction of its own facility.)	Feb. 3, 1960	Do.

[1] Additional rescissions have been requested by GSA, but are not yet authorized, pending submittal of additional information.

Projection of Activities During 93d Congress

It is the committee's intent, during the 93d Congress, to devote more effort toward the exercise of oversight responsibilities than has been the policy in recent years. Greater emphasis will be placed on cost reduction and control through the application of value engineering procedures. The committee also plans to participate more actively with the General Services Administration, through public hearings and by other methods, in determining various environmental effects of recommended projects at the earliest practicable time, in order that problems anticipated or encountered may be resolved without delay.

CHAPTER VI

DISASTER RELIEF LEGISLATION

During the 92d Congress the committee continued to examine legislative proposals for granting additional Federal assistance for losses inflicted by major disasters and to evaluate the adequacy and administration of present laws in this field. Investigations by the committee in previous years had resulted in the adoption by Congress of basic disaster relief acts in 1966 (Public Law 89–769), 1969 (Public Law 91–79), and 1970 (Public Law 91–606). The latter was a comprehensive revision of all extant disaster relief legislation providing for a number of new and expanded kinds of assistance for both the public and private sectors.

In February 1971, less than 2 months after its enactment, a severe test of the effectiveness of the 1970 comprehensive act was provided by the San Fernando, Calif., earthquake. Immediately after this tragedy, committee and staff members surveyed the extensive damage and observed Federal relief activities, responded to requests for information and assistance from victims, and examined needs and problems which arose.

Three days of field oversight hearings were held by the committee in San Fernando on June 10, 11, and 12, 1971. Although the committee decided not to reactivate the former special subcommittee which had developed the comprehensive act of 1970, the chairman of that subcommittee was assigned to preside over these hearings and other members who had been active in disaster relief legislation also participated. Seventy-three witnesses testified in person and more than 100 statements and other items were submitted by various sources for the hearing record.

Widespread losses caused by the San Fernando earthquake generated a number of bills proposing changes in major disaster relief legislation. Aside from measures to provide disaster or earthquake insurance (S. 903 and S. 871, respectively) those considered by the Committee on Public works included S. 1237 (to provide assistance for nonprofit medical care facilities), S. 1375 (to provide a uniform date for the application of disaster aid to State and local governments), S. 1427 (to increase the amount of disaster loans which could be cancelled without repayment), and S. 2358 (to amend in several respects the Disaster Relief Act of 1970). Among other matters the last bill proposed increasing authorizations for seismic research, surveying structural safety of large public buildings and dams, developing plans for the strengthening or replacement of those structures found to be potentially hazardous, authorizing advanced disaster assistance payments to communities, improving emergency medical and hospital services, and making nonprofit private medical care facilities eligible for disaster aid.

A favorable report (S. Rept. 92–411) on S. 1237 was filed by the committee on October 28 and the bill was passed by the Senate on November 3, 1971. The House of Representatives adopted the bill in somewhat modified form on December 6 and 2 days later the Senate concurred with the House amendment. With approval by the President on December 18, the bill became law (Public Law 92–209).

The new act authorized the President to make grants for the repair, reconstruction or replacement of any medical care facility owned by a tax exempt organization which is damaged or destroyed in a major disaster. Included within the scope of the term "medical care facility" was any hospital, diagnostic or treatment center, or rehabilitation center, as defined by the Public Health Service Act, and any similar facility offering diagnosis or treatment of mental or physical injury or disease. Essential administrative and support facilities were also made eligible for compensation.

Grants could be made not exceeding 100 percent of the net cost of repairing, restoring, reconstructing or replacing such facility according to its design immediately prior to a disaster and in conformity with applicable codes and standards. If the facility were under construction at the time the disaster occurred, such grants would be limited to no more than 50 percent of the net restoration cost. The act was made retroactive to January 1, 1971.

The havoc wreaked by natural catastrophes during 1972 apparently has exceeded that recorded for any previous year in U.S. history. Forty-five declarations of major disasters were made by the President before the end of October, which is more than twice the average number registered in any 1 year during the last 2 decades. Moreover, the cost in lives, personal injuries and property damages has been unusually high. Over 400 deaths, hundreds of serious injuries and several billion dollars in property losses were caused by only three of these tragedies—the Buffalo Creek, W. Va., dam collapse on February 26, the South Dakota flooding and failure of the Canyon Lake Dam at Rapid City June 9–10, and Hurricane Agnes, which brought widespread devastation from the west coast of Florida to New York and Pennsylvania June 20–23. It is estimated that damages attributable to the latter storm alone will exceed $3 billion, and the cost in Federal assistance will be very high.

Reflecting the extent and severity of these losses, several measures asking for expanded disaster assistance were introduced in the Senate. Referred to the Committee on Public Works were four bills proposing the following basic changes: first, reducing the interest rate on SBA and FHA disaster loans to 1 percent and increasing the amount of such loans that could be canceled from $2,500 to 90 percent of the loan (S. 3734); second, authorizing a special fund of $75 million to be distributed equitably by a Presidential Commission among disaster victims in South Dakota (S. 3735); third, making public facilities used exclusively for recreational purposes fully eligible for the same type of Federal assistance now available for other types of public structures and facilities (S. 3736); and fourth, providing that the maximum amount of SBA and FHA loans canceled could not exceed $15,000, permitting existing obligations on homes or businesses damaged in major disasters to be refinanced with Federal help if the loss

equaled at least 25 percent of their value rather than total destruction, and substituting the maximum amount and duration of payments allowed by the unemployment compensation program of any State for that of the State in which a disaster may occur as the criteria to be used in making payments to persons out of work because of a major disaster (S. 3737). Although no action was taken by the committee on these particular bills, as will be noted Congress did act to modify the interest rate on disaster loans and to increase the maximum amount of such loans which may be canceled.

Concern about potential hazards presented by large impoundments of water behind man-made barriers, heightened by the Buffalo Creek and Canyon Lake tragedies, led to the adoption of legislation designed to determine the safety of such structures. Bills authorizing the Water Resources Council to coordinate a national program to insure the safety of dams (S. 3449) and the Secretary of the Army to undertake a national program for the inventory and inspection of dams (S. 3842) were introduced in the Senate. A bill (H.R. 15951) similar to S. 3449, which was reported favorably on July 20 by the House Committee on Public Works and passed by the House of Representatives on July 24, was adopted by the Senate on July 25 and became law on August 8.

This new act (Public Law 92–367) directed the Secretary of the Army, through the Chief of Engineers, to inspect all dams either 25 feet or more in height or which have an impounding capacity of 50 acre-feet or more, with the exception of those structures built or licensed by agencies of the Federal Government or those which do not impose any threat to human life or property. The Secretary was directed to notify the Governor of each State of the condition of dams in his State and to report to Congress not later than July 1, 1974, on his findings, along with recommendations for a comprehensive inspection and regulation program for the safety of dams and the responsibilities which should be assumed by national, State, and local public and private interests. It has been estimated that there are over 28,000 non-Federal dams which will be subject to this law.

Preliminary surveys after Hurricane Agnes soon disclosed that existing authorizations ($50 million per year) for emergency highway relief would not be adequate to repair or reconstruct Federal-aid roads and bridges damaged or destroyed by the resulting floods. While all other State and local government highways are eligible under the Disaster Relief Act of 1970 for assistance up to 100 percent of restoration costs, emergency help for those routes located on a Federal-aid system has been funded under section 125, title 23 of the United States Code. Bills to increase the amount of this authorization to $100 million (S. 3793) and to $200 million (S. 3842) were introduced in the Senate, and a bill (H.R. 15950) similar to the latter was approved by the House of Representatives on July 24 and by the Senate on July 25. The new act (Public Law 92–361), as approved by the President on August 3, doubled the emergency highway authorization from $50 to $100 million a year on a permanent basis beginning with fiscal year 1973. It also authorized an additional $100 million for the fiscal year 1973 only to cope with the unusually severe highway losses caused by recent major disasters.

Congress responded quickly also to provide necessary additional funding to implement disaster relief programs and to expand certain types of benefits. A supplemental appropriation of $200 million for this purpose was considered and passed by the Senate and House on June 30 and approved on July 1 (Public Law 92–337). More than $1.5 billion additional was appropriated on August 20 (Public Law 92–393) to finance various Federal disaster relief activities, with $1.3 billion of this amount allocated to the Small Business Administration as capital for the disaster loan fund alone.

Need for greater loan authority stemmed not only from the tremendous losses to private property sustained in major disasters but also from enactment on August 16 of amendments to the Small Business Act (Public Law 92–385) which reduced the interest rate to 3 percent on SBA disaster loans made in connection with disasters occurring during the calendar year 1971 and to 1 percent on loans for disasters occurring between January 1 and July 1, 1972. In addition, with respect to SBA loans attributable to disasters occurring in the first 6 months of 1972 only, the maximum amount which could be canceled was increased from $2,500 to $5,000. A somewhat similar but not identical change was provided for major disaster loans issued by the Farmers Home Administration, the scope of which was extended to include damage to agricultural crops as well as other property.

This act also for the first time authorized the President to make grants to nonprofit educational institutions for the repair, restoration. reconstruction or replacement of educational facilities lost, damaged or destroyed as a result of Hurricane Agnes. Previously such assistance has been available only for public educational facilities. It also requested the President to conduct a "thorough review of existing disaster relief legislation" and to report to Congress not later than January 1, 1973, on specific legislative proposals to standardize and prevent misuse of benefits and to improve governmental execution of disaster programs.

As a culmination of many years' efforts to broaden and make more effective the Federal role in minimizing both public and private losses inflicted by natural catastrophes, the Disaster Relief Act of 1970 was a comprehensive measure providing many new assistance programs. Despite the sizable quantity and wide variety of aid authorized by that law, the magnitude and scope of recent disasters have raised questions about the adequacy of some of its provisions. Moreover, recent amendments, at least on a temporary basis, have enlarged certain benefits, thereby projecting the possibilities of certain imbalances or inequities.

In view of these factors, as well as the impending recommendations to be made by the President, the committee believes that a careful review of current disaster relief legislation would be in order. It is planning to conduct hearings during the 93d Congress not only on the possible need for modifications of the present law but also on the effectiveness of its administration since enactment in 1970.

CHAPTER VII

NOMINATIONS

The following nominations were referred to the committee during the 92d Congress, each of which was reported to the Senate and subsequently confirmed.

Appalachian Regional Commission:

Donald W. Whitehead, of Massachusetts, to be Federal Cochairman of the Appalachian Regional Commission, vice John B. Waters, Jr., confirmed March 1, 1971.

Environmental Protection Agency:

Thomas Edmund Carroll, of Maryland, to be an Assistant Administrator of the Environmental Protection Agency (new position), confirmed February 10, 1971.

John R. Quarles, Jr., of Virginia, to be an Assistant Administrator of the Environmental Protection Agency (new position), confirmed February 10, 1971.

Stanley M. Greenfield, of California, to be an Assistant Administrator of the Environmental Protection Agency (new position), confirmed February 10, 1971.

Donald MacMurphy Mosiman, of Indiana, to be an Assistant Administrator of the Environmental Protection Agency (new position), confirmed February 10, 1971.

Robert W. Fri, of Maryland, to be Deputy Administrator of the Environmental Protection Agency (new position), confirmed June 11, 1971.

David D. Dominick, of Wyoming, to be an Assistant Administrator of the Environmental Protection Agency (new position), confirmed June 11, 1971.

Robert L. Sansom, of Virginia, to be an Assistant Administrator of the Environmental Protection Agency, confirmed June 14, 1972.

Mississippi River Commission:

Maj. Gen. Charles Carmin Noble, Army of the United States (Brig. Gen. U.S. Army), for appointment as a member and President of the Mississippi River Commission, under the provisions of section 2 of an act of Congress, approved June 28, 1879 (21 Stat. 37) (33 U.S.C. 642), confirmed July 24, 1971.

Rear Adm. Allen L. Powell, Director National Ocean Survey, National Oceanic and Atmospheric Administration, to be a member of the Mississippi River Commission, confirmed June 26, 1972.

National Commission on Materials Policy:

Lynton Keith Caldwell, of Indiana, Jerome L. Klaff, of Maryland, J. Hugh Liedtke, of Texas, Lee W. Minton, of Pennsylvania, Rogers C. B. Morton, of Maryland, Frederick Seitz, of New York, and Maurice H. Stans, of New York, to be members of the National Commission on Materials Policy (new positions), confirmed July 23, 1971.

Peter G. Peterson, of Illinois, to be a member of the National Commission on Materials Policy, vice Maurice H. Stans, confirmed April 19, 1972.

Pacific Northwest Regional Commission:

Jack O. Padrick, of Virginia, to be Federal Cochairman of the Pacific Northwest Regional Commission (new position), confirmed September 30, 1972.

Tennessee Valley Authority:

William Lewis Jenkins, of Tennessee, to be a member of the Board of Directors of the Tennessee Valley Authority for the term expiring May 18, 1981, vice Frank E. Smith, confirmed September 30, 1972.

Upper Great Lakes Regional Commission:

Thomas F. Schweigert, of Michigan, to be Federal Cochairman of the Upper Great Lakes Regional Commission, vice Alfred E. France, confirmed February 22, 1971.

Upper Missouri River Regional Commission:

Robert L. McCaughey, of South Dakota, to be Federal Cochairman of the Upper Missouri River Regional Commission (new position), confirmed April 20, 1972.

In addition to the above confirmed nominations, the Committee received the nomination of Russell Field Merriman, of Vermont, to be Federal Cochairman of the New England Regional Commission, vice Chester M. Wiggin, Jr. This nomination was received on October 11, 1972, and was not acted upon before the Congress adjourned on October 18.

CHAPTER VIII

COMMITTEE DOCUMENTS AND OTHER MISCELLANEOUS PUBLICATIONS

During the 92d Congress numerous documents and public hearings were prepared and printed for the use of the Committee on Public Works, Members of Congress, and others.

Much time and effort goes into the publication of each document. In addition to research and subject preparation by selected professional staff members, many printing and editing techniques are required. These are carried out by the printing clerk, a most valued member of the committee's professional staff.

The following is a listing of the documents prepared for use during the 1971–72 period:

COMMITTEE PRINTS

Serial No.	Subject	Date
92–1	Oil Pollution of the Marine Environment—A Legal Bibliography	January 1971.
92–2	Proposed Modification to the Authorized Oakley Reservoir Project, Sangamon River, Ill.	December 1971.
92–3	National Environmental Laboratories—A Compilation of Comments Related to a Proposed Environmental Laboratory.	January 1971.
92–4	Watershed Work Plan for Tallaseehatchie Creek Watershed, Clay and Talladega Counties, Ala.	February 1971
92–5	Watershed Work Plan for Watershed Protection and Flood Prevention, Ecleto Creek Watershed, Guadalupe, Wilson, Karnes, and De Witt Counties, Tex.	Do.
92–6	Watershed Work Plan for Watershed Protection and Flood Prevention, Pond Creek Watershed, Bell, Falls, and Milam Counties, Tex.	Do.
92–7	Watershed Work Plan for Watershed Protection and Flood Prevention, Sanderson Canyon Watershed, Terrell, Pecos, and Brewster Counties, Tex.	Do.
92–8	Watershed Work Plan, NI River Watershed, Spotsylvania County, Va	Do.
92–9	Summary and Analysis of Legislation Pending before the Subcommittee on Air and Water Pollution.	March 1971.
92–10	Watershed Work Plan for Watershed Protection and Flood Prevention, Cedar Creek Watershed, Coweta, and Fulton Counties, Ga.	April 1971.
92–11	Watershed Work Plan for Lower McKee Creek (North Fork) Watershed, Adams, Brown, and Pike Counties, Ill.	Do.
92–12	Watershed Work Plan for Upper McKee Creek (North Fork) Watershed, Adams and Brown Counties, Ill.	Do.
92–13	Watershed Work Plan for West Sector Whitewater River Watershed, Butler, Sedgwick, and Harvey Counties, Kans.	Do.
92–14	Watershed Work Plan for Middle-South Branch Forest River Watershed, Grand Forks, Nelson, and Walsh Counties, N. Dak.	Do.
92–15	Watershed Work Plan for Deep Red Run-Coffin Creek Watershed, Tillman, Kiowa, and Comanche Counties, Okla.	Do.
92–16	Watershed Work Plan for Little Bigby Creek Watershed, Maury County, Tenn	Do.
92–17	Watershed Work Plan for Mill Creek Watershed, Jackson and Roane Counties, W. Va.	Do.
92–18	Summary of Legislative Activities and Accomplishments of the Committee on Public Works.	June 1971.
92–19	The committee print assigned this number was not published	
92–20	Procedures for Evaluation of Water and Related Land Resource Projects	September 1971.
92–21	Watershed Work Plan for Watershed Protection and Flood Prevention, Tekamah-Mud Watershed, Burt County, Nebr.	March 1972.
92–22	Watershed Work Plan for Eighteen-Mile Creek Watershed, Pickens and Anderson Counties, S.C.	Do.
92–23	Watershed Work Plan for Watershed Protection, Flood Prevention, and Recreation, Sugar River Watershed, Grafton, Merrimack, and Sullivan Counties, N.H.	Do.
92–24	Regional Wastewater Management Systems for the Chicago Metropolitan Area	Do.
92–25	New Hope Lake Project, North Carolina Land Acquisition Program	April 1972.
92–26	Alternatives to Falmouth Lake, Licking River Basin, Ky	Do.
92–27	Analysis of the Decision of the Florida District Court in the Case of American Waterways Operators, Inc. v. Askew.	August 1972.

HEARINGS

Subject	Bill No.	Location	Date
Air and water pollution:			
Water pollution control programs		Washington, D.C	Feb. 4, 8, and 9, 1971.
Water pollution control legislation:			
Pts. 1 to 4	S. 75, S. 192, S. 280, S. 281, S. 523, S. 573, S. 601, S. 679, S. 927, S. 1011, S. 1012, S. 1013, S. 1014, S. 1015, and S. 1017.	do	Mar. 15, 16, 17, 18, 19, 22, 23, and 24, 1971.
Pt. 5 (ocean dumping)	do	Rehoboth Beach, Del.	Mar. 26, 1971.
		Washington, D.C	June 16, 1971.
Pt. 6 (agricultural runoff)	do	Kansas City, Mo	Apr. 2, 1971.
Pt. 7 (petrochemical waste)	do	New Orleans, La	Apr. 5, 1971.
Pt. 8 (waste water treatment)	do	Washington, D.C	May 13 and 14, 1971.
Pt. 9 (Refuse Act permit program)	do	do	June 22 and 23, 1971.
National environmental laboratories (pts. 1 and 2).	S. 1113	do	Apr. 28, 29; May 3, 4, 5, and 6, 1971.
Economic dislocation resulting from environmental controls.		do	May 17, 18, and June 28, 1971.
Interstate environment compact	S. 907	do	Jan. 24, 1972.
Implementation of the Clean Air Act Amendments of 1970:			
Pts. 1 and 2 (title I)		do	Feb. 16, 17, 18, 23, 24, 25; Mar. 20; Apr. 10 and 11, 1972.
Pt. 3 (title II)		Los Angeles, Calif	Mar. 25, 1972.
		Washington, D.C	Mar. 27, 28; May 22, 1972.
Alternatives to the gasoline-powered internal combustion engine.		do	Mar. 14, 1972.
Noise pollution	S. 1016, S. 3342, and H.R. 11021	San Francisco, Calif	Mar. 24, 1972.
		Washington, D.C	Apr. 12 and 13, 1972.
Environmental problems of the Lake Tahoe Basin.		Brockway, Calif	Aug. 21, 1972.
Implementation of the Resource Recovery Act of 1970.		San Diego, Calif	Aug. 23, 1972.
Buildings and Grounds:			
Security on the Capital Grounds relating to the bombing of the U.S. Capitol.		Washington, D.C	Mar. 2, 1971.
To review the proposed demolition of the Old Post Office Building and other landmark buildings.		do	Apr. 21, 1971.
To consider the need for offstreet parking for Senate employees.		do	Do.
Consolidated Federal Law Enforcement Center, Beltsville, Md		do	July 15 and 22, 1971.
Eliminating the construction backlog and to investigate new procedures to expedite future construction of Federal buildings.	S. 1736 and S. 2479	do	Sept. 28, 1971.
Amending the John F. Kennedy Center Act	S. 2900	do	Dec. 2, 1971.
Proposed construction of Federal office buildings in Alaska.		Anchorage, Alaska	Dec. 6, 1972.
		Fairbanks, Alaska	Dec. 8, 1972.
Economic development:			
Appalachian Regional Development Act of 1971	S. 575	do	Feb. 8, 9, and 10, 1971.
National economic development program: program:			
Pt. 1		Raleigh, N.C	Feb. 19 and 20, 1971.
		Wichita, Kans	Feb. 26, 1971.
		Memphis, Tenn	Mar. 5 and 6, 1971.
Pt. 2		Los Angeles, Calif	Mar. 31; Apr. 1 and 2, 1971.
		Albuquerque, N. Mex.	Apr. 5, 1971.
		Santa Fe, N. Mex	Apr. 6, 1971.
Pt. 3		Seattle, Wash	Apr. 14 and 15, 1971.
		Fairbanks, Alaska	Apr. 16, 1971.
		Anchorage, Alaska	Apr. 17, 1971.
		Bethel and Nome, Alaska.	Apr. 19, 1971.
Creation of an Upper Missouri River Economic Development Commission.		Washington, D.C	Feb. 24, 1971.
Appalachian airports		do	Mar. 2, 1971.
Public Works Development Act of 1972	S. 3381	do	Apr. 18, 19, 20, 25, 26, and 27, 1972.

HEARINGS—Continued

Subject	Bill No.	Location	Date
Flood control—Rivers and harbors:			
Projects of the Corps of Engineers and the Soil Conservation Service.		do	Apr. 27, 28; May 25, 1971.
The effect of channelization on the environment		do	July 27, 1971.
Water resource projects of the Corps of Engineers.		do	July 28, 1971.
Big South Fork National River and Recreation Area.	S. 3349	do	May 25, 1972.
		Whitley City, Ky	June 5, 1972.
Omnibus water resources authorizations—1972 (pts. 1 and 2).		Washington, D.C	June 15, 20, 21, 22, 23, 27, 28; Sept. 13, 14, and 15, 1972.
Full committee:			
Nominations:			
Thomas F. Schweigert to be Federal Co-chairman of the Great Lakes Regional Commission.		do	Feb. 18, 1971.
Donald W. Whitehead to be Federal Co-chairman of the Appalachian Regional Commission.		do	Feb. 25, 1971.
Robert W. Fri to be Deputy Administrator, Environmental Protection Agency.		do	June 10, 1971.
David D. Dominick to be Assistant Administrator, Environmental Protection Agency		do	Do.
Robert L. McCaughey to be Federal Co-chairman of the Upper Missouri River Regional Commission.		do	Apr. 18, 1972.
Jack O. Padrick to be Federal Cochairman of the Pacific Northwest Regional Commission.		do	Sept. 28, 1972.
William L. Jenkins to be a Member of the Board of Directors of the Tennessee Valley Authority.		do	Do.
To consider an alternative to title I of S. 575 as passed by the House of Representatives.		do	May 12, 1972.
Governmental response to the California earthquake disaster of February 1971.		San Fernando, Calif	June 10, 11, and 12, 1972.
National Environmental Policy Act joint hearings before the Committees on Public Works and Interior and Insular Affairs.		Washington, D.C	Mar. 1, 7, 8, and 9, 1972.
Roads:			
Oversight hearings on the highway safety program.		do	May 10, 11, 12, 13, and 14, 1971.
Wider buses and the Interstate Highway System	H.R. 4354	do	Dec. 13, 14; Feb. 14, 1972.
Proposed 1972 highway legislation	S. 3589 and S. 3590	do	May 10, 11, 18, 25, 26; June 5, 6, and 15, 1972.

SENATE DOCUMENTS PREPARED AND PRINTED BY THE COMMITTEE ON PUBLIC WORKS

Document No.	Title	Date
92-6	The Economics of Clean Air—annual report of the Administrator of the Environmental Protection Agency.	March 1971.
92-11	Progress in the Prevention and Control of Air Pollution—annual report of the Administrator of the Environmental Protection Agency.	May 1971.
92-23	The Cost of Clean Water, vol. I and II—annual report of the Administrator of the Environmental Protection Agency.	June 1971.
92-39	Development of Systems To Attain Established Motor Vehicle and Engine Emission Standards—Report of the Administrator of the Environmental Protection Agency.	September 1971.
92-63	Report to the President and Congress on Noise—report of the Administrator of the Environmental Protection Agency.	February 1972.
92-66	Progress in the Prevention and Control of Air Pollution—annual report of the Administrator of the Environmental Protection Agency.	March 1972.
92-67	The Economics of Clean Air—annual report of the Administrator of the Environmental Protection Agency.	March 1972.
92-81	The Economics of Clean Water, Summary of Analysis—annual report of the Administrator of the Environmental Protection Agency.	June 1972.

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