

Administration, which depends upon a request from the State, and then you have what can be an even more critical problem, and that is the question of funding.

Mr. WRIGHT. Since there have been many cases apparently in which—like the one in Honolulu this morning—there is not any way immediately to know the force of the encroachment, it is going to be necessary, is it not, for the Federal Government to possess the authority and, fast, to effect an immediate cleanup, and then be responsible to find the culprit for reimbursement of costs?

Mr. MOORE. This is correct.

Mr. WRIGHT. So that being the case, with that kind of authority to effect a cleanup, I fail to see the need for expanding the Federal authority of control and jurisdiction within the States to their installations that lie along the shores of these waters.

Mr. MOORE. of course, this leads, in terms of effecting the cleanup to the question of money: Who pays for it? And it leads you to the question of whether or not this should be a cost borne by the taxpayers generally of the Nation, or whether you should attempt to recover the cost. And when you come to the question of recovering the cost, you come up against the question of fixing liability, so that the chain of who shall pay—

Mr. WRIGHT. Does the Government not possess authority under the law to go into hearings, into court if necessary, to recover costs from people who have violated the existing law by releasing pollutants?

Mr. MOORE. These costs can be recovered in the sense that the United States would be the one that would recover costs incurred by the various agencies involved in this area. But the costs so recovered accrue to the general credit of the Treasury and not, as proposed here, to the revolving fund concept that is embodied in this legislation. Those who are responsible for the spills would be the ones ultimately paying for them.

Mr. WRIGHT. Of course, a revolving fund for appropriation.

Mr. MOORE. But this again would depend upon an appropriation in advance that might or might not be enough to accommodate the spills that you had during the course of that particular year. It is a question of how you pay for the costs, and the concept embodied here was it should be a revolving fund. This seemed to be the easiest way to approach it.

Mr. WRIGHT. Departments and agencies are constantly coming before Congress to request appropriations to accommodate needs for various services that have found their expenses are higher than they anticipated.

I do not really comprehend the need for your invading the States under the jurisdiction that we gave to them, and under the requirements put on them already to come up with meaningful control measures, with an additional Federal control inside the States.

Mr. MOORE. You get back again, though, to the fundamental question as to whether or not you can achieve the rapid cleanup. As I say, you can get the cleanup in the small spills, but you are always faced with the prospect of what do you do if you have one of substantial magnitude within what the States would have to say is a State's jurisdiction in terms of the water bounding it. Let's take Lake Michigan, for example. If you had a massive spill from a tanker as con-